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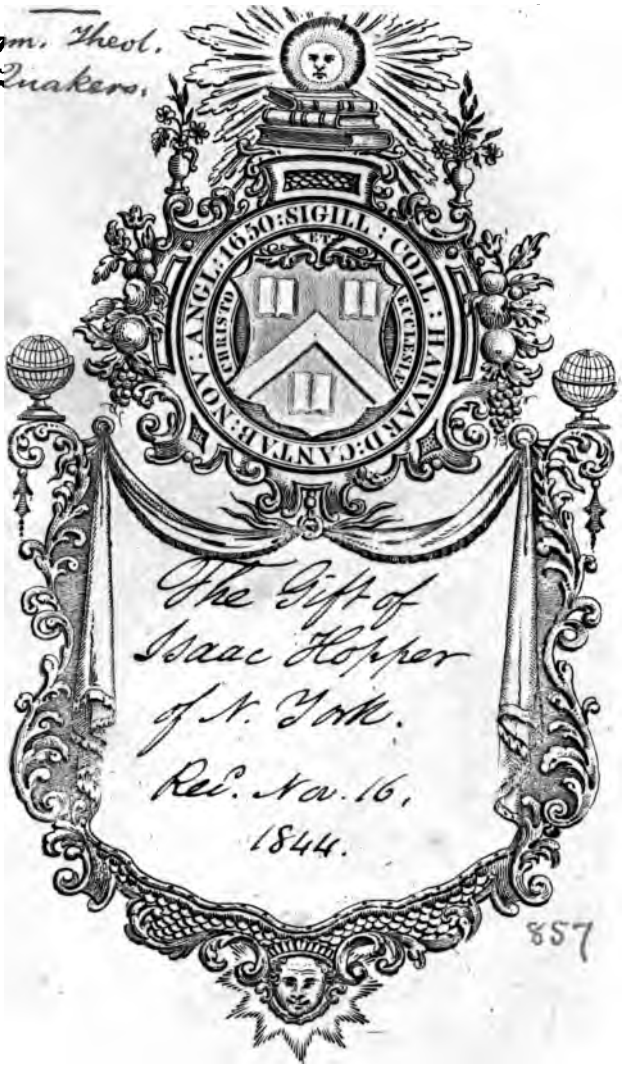

The Gift of
Isaac Hopper
of N. York.
Rec. Nov. 16,
1844.
857

The Gift of Isaac Hopper of N. York. Rec'd Nov. 16, 1844.

SOUTHARD'S ARGUMENT.

ARGUMENT

OF

SAMUEL L. SOUTHARD,

IN THE CASE

OF

STACY DECOW AND JOSEPH HENDRICKSON,

VERSUS

THOMAS L. SHOTWELL.

DELIVERED AT TRENTON, BEFORE THE COURT OF APPEALS
OF THE STATE OF NEW JERSEY,

AT A SPECIAL TERM IN THE EIGHTH MONTH, 1833.

TAKEN IN SHORT-HAND BY EDWARD HOPPER.

PHILADELPHIA:
ELIJAH WEAVER, No. 5, NORTH FRONT-STREET.

NEW-YORK:
ISAAC T. HOPPER, No. 386, PEARL STREET.

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INTRODUCTION.

THE following argument contains such a full and explicit history of the case, that a very minute account from the publisher is rendered unnecessary. But for the information of those who may be entirely unacquainted with the names of the parties who were immediately engaged in the suit, and who are alluded to in the argument, it may be proper to state, that before the separation in the preparative meeting at Crosswicks, Joseph Hendrickson was the treasurer of the school-fund in question. As treasurer of said fund, he had loaned part on interest, to Thomas L. Shotwell, who gave the bond and mortgage upon which this suit was instituted. After the Orthodox party had withdrawn, the preparative meeting appointed Stacy Decow, as the successor to Joseph Hendrickson, who, in connexion with the Orthodox party, had seceded from it. Thomas L. Shotwell, who held the money, was unwilling to recognize Joseph Hendrickson as the rightful treasurer of the preparative meeting of the Society of Friends at Crosswicks.

Under these circumstances, Joseph Hendrickson exhibited a bill of complaint against Thomas L. Shotwell, in the Court

of Chancery of the State of New Jersey, to foreclose his bond and mortgage. After this bill was filed, Thomas L. Shotwell exhibited a bill of interpleader against Hendrickson and Decow, who were the treasurers of the adverse parties, setting forth the pretensions and claims of each respectively. Joseph Hendrickson filed an answer to this, in which was a repetition of the grounds set forth in his original bill. Stacy Decow also filed an answer to the bill of interpleader, in which he denied the grounds set forth in the bill filed by Hendrickson.

After these were completed, the evidence of witnesses was taken at Camden, N. J. before J. J. Foster, an examiner in the Court of Chancery, which, with the pleadings and exhibits in the cause, was published in two large volumes.

In consequence of the Chancellor having been, while at the bar, of counsel for one of the parties, (the Orthodox), he selected Chief Justice Ewing, and Judge Drake, to decide the case; they heard it argued in the First-Month, 1832, and gave separate decisions in the Seventh-Month following, in favor of the Orthodox party.

From this decision the aggrieved party appealed to the Court of Errors, before whom the case came on for hearing on the seventeenth of Seventh-Month, 1833. About two weeks were occupied in reading the two volumes of Evidence, &c., when the arguments of counsel commenced, and continued about the same length of time. Garret D. Wall opened for the appellants, and was followed by George Wood and

Theodore Frelinghuysen, on behalf of the Orthodox party; the case was then closed by Samuel L. Southard, who occupied four days in delivering the argument reported in this volume.

After the counsel had finished, a Judgment was given, affirming the decision of the Court of Chancery. The vote stood as follows; Board, M'Dowell, Green, Clark, Wood, Merkle, and Seely, (Governor), for affirmance; and Holmes, Campion, Clawson, and Townsend, for reversal. After the decision was pronounced, the president made a communication, in which the Court recommended to the parties concerned in the controversy, "to make a speedy and amicable adjustment of all their disputes and difficulties."

The argument which is here reported, was listened to by an overflowing audience, of all persuasions and both sexes, with a marked and untiring attention; and it will be found to possess much of a highly interesting character, in relation to the discipline and order, and also the doctrines and history of the Society of Friends. Should, however, any errors be discovered in any of these points, it must be understood that the Society are not to be considered accountable for all the views expressed by their intelligent and highly gifted advocate. The object of the reporter has been to give a faithful representation of the sentiments and language delivered.

In justice to the speaker it is proper to state, that he had no opportunity of revising his argument before it went to

press, and could not therefore make those corrections which extemporaneous composition generally requires. This circumstance is regretted by the reporter, but as S. L. Southard had taken his seat in the U. S. Senate, before the manuscript was completed, it was unavoidable, unless the publication was deferred until the interest of the occasion would necessarily be diminished. It is believed however, that the report will be found to be full and satisfactory.

ARGUMENT

OF

SAMUEL L. SOUTHARD.

SIXTH-DAY MORNING, 9 o'clock, 8th Mo: 9th. 1833.

It is not my practice, as your honors well know, while representing the interests of my clients, to bespeak from the court, either its earnest attention to the cause, or its favorable consideration for myself. But, sirs, on this occasion, it will not be regarded as an affectation of diffidence in me, if I venture to remind you of those unusual circumstances, which accompany the investigation of the cause now before you. Connected with it there is a magnitude which all feel, not merely in relation to the present moment, but to all coming times while our institutions last.

When you look at the agitated countenances of those interested in this case—when you perceive the multitudes which have been thronging the avenues to our courts of justice, day after day—when you recollect that for twenty successive days this court has been devoting an earnest, anxious, and solicitous attention to the question now before them, it will not be considered strange, if in this investigation I feel as though I have a burden resting upon me which I am unable to bear.

Nor, sirs, are my difficulties diminished by the manner in which the cause of my opposers has been presented to you. You have heard an ingenuity in argument not surpassed any where. You have heard a manly, admired, and sympathy-exciting eloquence, which may find, possibly, competitors, but no superiors. I should under these circumstances sink under this cause, if I were not sustained under a consciousness of its strength, and had I not seen that strength exhibited by my learned associate counsel in his opening, in a manner which puts at defiance, all the power of the adversary; for he has placed this cause on grounds which remain untouched—they have been assailed but not overthrown.

In the investigation of this question I shall endeavor, as far as practicable, to keep separated the one from the other, those questions which are purely of a disciplinary character, and those that belong to the religious aspects of the question. It appears to me that unless the mind will keep them distinct, by first making an inquiry into the facts of the case, independent of the religious questions, I care not how strong it may be, it will become bewildered and confounded; and no better evidence of this can be exhibited than was shown in the argument of the opposite counsel. I ask therefore, in the first instance, the attention of your honors to the subject matter of the controversy.

It is a part of a school-fund which friends at Crosswicks provided for the education of their own children. It was created in 1792, by a subscription of individuals living in their neighbourhood and belonging to one single association; in the year 1795 it was increased by another subscription of the same individuals, none living out of that particular meeting, all belonging to it. It was further increased by a portion of what is called the quarterly meeting stock, but that is considered precisely of the same character; when its character is understood, as the subscription made by individual members. The quarterly meeting had a stock created by the different subordinate branches, or by the members of those branches, (who were members also of the quarterly meeting,) for purposes connected with that meeting; and when that stock was necessary to be used, they divided it among those who had constituted it, in proportion to their contributions; returning back to the preparative meetings and monthly meetings, that which had come from the preparative and monthly meetings. When this portion came to the preparative meeting of Chesterfield, it was the returning not of a gift of theirs, not of a fund to be placed in trust for an object which the quarterly meeting had designated, but a returning back of the money which they themselves contributed, it not being wanted for the purposes of the contribution. A small portion of this fund, it appears from the history, was derived from the sale of a meeting house in Burlington, belonging to the quarterly meeting. It does not therefore, create the slightest distinction, for that house belonged in part to the subscribers to this fund at Crosswicks, and it was returning money which they had already paid or contributed. This whole fund was created by people living in Crosswicks, and for purposes in which they and not others, were interested.

Nor, may it please your honors, is this fund of the character which was given to it by the learned gentleman who first addressed you on the part of Joseph Hendrickson. He spoke of it as a trust having all the honors and sacredness of antiquity about it, and as if those who created it were laying in their graves; and you were told that you are now called upon to violate the wishes and the purposes of the dead. Is it so sirs? Is it so? Eight of the very men who created that fund are now living, and the children of all the rest are now living there and did all live there at the moment of the creation of this fund. In this

investigation we are to recollect that we are looking at a fund created by persons now living, and who are parties in this controversy. Such a character has been given to this fund which if true, would make it sacrilege in us to touch it. But sirs, we are speaking of our own fund, and are inquiring what shall be done with money which we ourselves have contributed. Whether we shall apply it according to the original intention, or be prevented from doing so because there is a principle of law which stands in the way of this liberty. I repeat sirs, that it is necessary to call your attention particularly to this aspect of the question, because a large portion of the remarks of one of the learned gentlemen who addressed you, was calculated to mislead the mind on that very topic.

It is a fund which we ourselves have created. The objects for which it was created we shall see presently; but it was created by us, and our inquiry now is how we may be permitted to use it, or who has the right to use it.

The object of this fund has been presented distinctly in the instrument by which it was created. That has been read to you again and again, and it is not necessary that I should repeat its form or its words, in order to remind you of its full force. But I beg to remark, that that fund, that trust, I care not what you call it, on its very face has more objects in view than those which have been looked at by the adverse counsel. It is not a fund for the education of the poor alone. It is not a sacred deposit placed there which is to be untouched forever, because it is devoted to charitable purposes. I admit that it is for the education of the poor to a certain extent. But it expressly provides that it is for the support of a school then in existence, not for the education of the poor alone, but for the education of the children of all the subscribers. It is therefore, in that aspect, as so much money placed by me to support a school at which my own children are educated; and the inquiry is, whether I shall have control of the fund by which that school is to be supported, which I, myself subscribed. The school at Crosswicks, was not created by that fund; the argument has been as if it were thus created. The school was in existence, as can be plainly shown, in twenty different places, before the fund was subscribed; and the school being in existence already, the subscription was for the support of that school. And that was its first object.

The counsel here read that portion of the instrument, which declares a promise "to pay to Samuel Middleton, Treasurer, or to his successor or successors in office," the money subscribed, &c. &c. &c. Evid. vol. ii. p. 411.

Now that school was already in existence, and this was a fund created for the support of that school. For what was that school designed? For the poor only? Not at all. It was for those who subscribed, and for those who were connected in that particular society with themselves.

It is further declared in the instrument, "The interest or annuity

is to be applied to the education of such children as now do, or hereafter shall belong to the same preparative meeting, whose parents are not, or shall not be of ability to pay for their education," &c. &c. &c.

A portion of this fund was to be devoted to the education of the poor, but it was to support the school, and if the whole of the interest was not required for the support of the poor, then it was to be devoted to the schooling of those children whose parents had subscribed, and who were of ability to pay. Suppose there was not one single poor in the neighbourhood, that not one of all the members of that preparative meeting required the exercise of this charity for the education of their children, was that fund not to be used? On the contrary, if that could be the case, and when even that was the case, the whole of the fund was devoted, not to the poor, but to the children of subscribers. Now it may have been so, again and again; I think it quite probable, that since the creation of this school there have been repeated instances, in which there was not one human being in that preparative meeting, who was not of ability to educate his children. We shall find hundreds of meetings belonging to this society in which this great and cheering fact exists. I know not how it is there; but it is as probable that it exists there as any where; whether it exists there to that extent or not I am unable to say.

Now my conclusion is, that this subscription is not such a trust as has been spoken of by the opposite counsel; it bears none of the characters of trusts of that kind; it is not devoted to a charitable use and that only. It is a subscription by individuals for their own purpose, for their own support, for the education of their own children, and all that array of books and words which we have had in the course of the argument of the opposite counsel, has been thrown away. It was not necessary to go back to English law, or talk about the statute of Elizabeth; they should have shown that this was a fund devoted to charitable uses. That law will not apply to this fund, and the character which they have given to it, I deny to belong to it. The preparative meeting of Chesterfield, has just as much control over this fund as over any other property in its possession. This surplus which was to be used in the manner I mentioned, is in the hands of the treasurer; and the fund, the whole fund too, the whole fund as well as the surplus, is in the hands of the treasurer of the preparative meeting. But how is it in his hands? The treasurers are before you, and you are inquiring into their rights. But what are the rights of the treasurer to this fund? It is an inquiry which has not been suggested to you by the opposite counsel. The treasurers have no power over this fund in any possible respect; they are the mere agents to hold the fund, and if it is to be loaned, to take security for the loan; but they cannot dispose of one single dollar of it by their mere motion; they can affect the interest of this fund in no way whatever. Every act is to be done under the control of trustees, and sirs, in this society where my learned friend

says majorities are unknown, it is to be a *majority* of these very trustees, who are to control this fund in all its operations.

You are told that majorities are unknown in this society; I shall consider that question hereafter, more deliberately. But I will call your attention to the strange fact, that a majority have a right to control this fund, and to do it too, despite of the wishes of the minority. I will read first exhibit 2d vol. p. 411.

"We the subscribers, members of the preparative meeting of the people called quakers, at Crosswicks in the township of Chesterfield county of Burlington, in New Jersey, do hereby severally, for ourselves and our heirs, promise to pay (on demand and in specie, at the rate as it now passes) unto Samuel Middleton, treasurer of the school at Crosswicks, begun and set up by and under the care of the preparative meetings of friends at Crosswicks aforesaid, on the twenty-seventh day of the twelfth month, one thousand seven hundred and ninety-two, (1792,) or to his successor or successors in office, the sum of money severally by us written against our names, with interest therefor, after the rate of five pounds for the hundred by the year, the principal whereof so subscribed is to be and remain a permanent fund under the direction of the trustees of the said school, now or hereafter to be chosen by the said preparative meeting, and by them laid out, or lent on interest in such manner as they shall judge will best secure an interest or annuity, which interest or annuity is to be applied to the education of such children as now do or hereafter shall belong to the same preparative meeting, whose parents are not or shall not be of ability to pay for their education; and in case the whole, or any part thereof, shall not be wanted for such purpose, then and in that case, the said interest or income, or such part thereof as shall not be so wanted, is to be applied to such other uses of the said school or schools, now or hereafter to be erected by the said meeting, as the said trustees now or hereafter to be appointed, or a majority to consist of not less than five of them, shall think will best answer the design of the institution.

	l.	*s.*	*d.*		*l.*	*s.*	*d.*
Joshua Bunting,	20	0	0	Chesterfield preparative			
Joshua W. Satterthwaite,	25	0	0	meeting's quota of the			
William Abbott,	30	0	0	surplus of the quarterly			
Samuel Abbott,	30	0	0	meeting's stock, is a			
Isaac Horner,	5	0	0	sum of	54	18	4‡
Nathan Middleton,	30	0	0	Hannah Middleton,	5	0	0
Thomas Lawrie,	25	0	0	Anne Lawrie,	10	0	0
Joseph Forsyth,	5	0	0	Esther Lippincott,	1	10	0
Gideon Middleton,	7	0	0	Rhoda Tilton,	1	10	0
John Tantum,	5	0	0	Mary Allen, (widow)	0	15	10
John Stevenson,	5	0	0	Rhoda Robins	5	0	0
William Chapman,	5	0	0	Hannah Hankins,	5	0	0

	l.	s.	d.		l.	s.	d.
John Abbott,	30	0	0	Isaac Collins,	7	10	0
Samuel Shadford,	4	0	0	Robert Wright,	7	10	0
Henry Allen,	5	0	0	Alice Merritt,	4	0	0
John Wright,	7	10	0	Marmaduke Watson, jr.	10	0	0
Thomas Taylor,	7	10	0	1795—Joseph Bullock	28	0	0
Joseph M. Lawrie,	50	0	0	Isaac Combs,	3	0	0
Jacob Middleton,	50	0	0	Thomas Combs,	3	0	0
William Satterthwaite,	10	0	0	George Williams,	3	0	0
Aaron Wright,	30	0	0	Samuel Cleveings,	2	0	0
Joel Chessher,	5	0	0	Fretwell Wright,	4	0	0
Elijah Field,	15	0	0	Lydia Moore,	1	2	6
				J. Taylor,	7	10	0

Here then this fund is not only to be devoted to these objects, but here is a body of trustees provided, and that body is to act by the very terms of the creation of the fund—by a majority consisting of five—there must be five of them, but if this be a majority, then they have a right to dispose of the fund according to their pleasure, as they shall think best; not referring even to the preparative meeting who created them, much less referring to the monthly, quarterly or yearly meetings to know how they shall manage and control that fund; they are to act as they think best—not as the preparative meeting shall think best—not as the monthly meeting shall think best—not as the quarterly meeting shall think best—and above all, not as the yearly meeting shall think best. The trustees, sirs, were to be appointed annually, and they were appointed annually; and after their appointment they have this fund in their control, and have a right to direct the treasurer of the fund to loan the money to whom they think best, and in every respect they have the entire control of the fund. We shall see presently the importance of this consideration. Here is, by the terms of this fund, a particular body designated who are to use it. We are here inquiring what is to be done with that fund? we shall see where that body is, and who they are that have a right to use it—we shall have no doubt on this inquiry. They are in existence now and were in existence at the moment of the separation. And this existence did not arise from party movements, but originated in the unity of the whole body. For they were appointed by the whole body, and from these very men thus created, it is, that our enemies seek to take away this fund.

I will remark to your honors, that this is a fund created for the benefit of its subscribers distinctly and clearly; there is in it no admission that any other persons are to have any control over it, but men appointed by themselves. The trustees were and are the agents and instruments, nor is there on the face of it the absurd idea, that there is to be in any event an escheat of this property. And is it to be elsewhere found, if not written in the bond? And I ask, where there is any idea of this character to be found? But of this hereafter.

In the year 1828 this preparative meeting had with them the trustees of this fund regularly appointed, and they had Stacy Decow for their treasurer, and he now claims the money not for himself but for them. This, sirs, is the aspect of the case. I repeat it, that in 1828, when this controversy arose or assumed its final character, these trustees then holding this money were with my clients: they had been regularly appointed and had the fund under their control, and at that time Decow was appointed treasurer, to act under their direction and by their authority. On the other hand there was in the meeting a minority—a minority of the subscribers who were dissatisfied with the majority, and who not remaining in that body but dissatisfied with them, and I care not from what cause, or reasons, or motive, withdrew from that majority—they withdrew from that majority, leaving them there in possession of the property, and with the trustees of the fund, and having full and perfect control over it.

Apply, if your honors please, all the principles on which the adverse counsel rely in this case; I say all, for there is not one that will not sustain my clients in this cause. I shall shew when I come to examine the legal principles which bear upon this case, that my clients stand on impregnable ground. The body, the whole body, was there at the moment of the separation; the trustees were there, the treasurer was there, and then, because they were not satisfied with the majority, a minority withdrew, taking with them the treasurer, and leaving the majority with all the trustees who had a right to control the fund, and the clerk of the meeting.

Now, sirs, if the principles of our adversaries be true, where do they stand? who has withdrawn? who are the seceders? how can they come into a court of justice and tell us that we stand in such a position? that we are the seceders from that body, and have lost our rights? Sirs, this very principle applies to themselves—how it is to apply in other respects of this case I shall show hereafter in my investigation of the principles connected with it, and in relation to these transactions I stand on the ground, that there is not any principle in the old or new books that can call in question the rights of my clients.

In this separation, sirs, it is proper for me in passing to remark, that when this majority went away, they carried with them of themselves and children only twenty-nine, while they left behind them fifty-five—those who went away represented of the original subscription but 84*l.* 8*s.* 6*d.* of the whole amount of money, and left behind them those who represented 255*l.* 19*s.* 6*d.* leaving an *excess* of 171*l.* 11*s.* due to the majority on our part—a difference of more than twice the amount of all they took with them. Here is a minority representing but about one fourth of this body withdrawing from it, and then coming into court demanding the whole of this fund. Is it justice? is it honor? is it honesty?

But, sirs, there is another strong and marked feature in this cause: this subscription was for the support of a school—where is that school?

where is it? the fund has been given for its support, and where shall we find it? You have not been told by our adversaries where it is; I will tell you: the school is now in full existence, and was when this suit was commenced. It is is admitted by the testimony of the adversaries, that this school is in existence; who has the care and control of it? who bears the burden of the school? who are devoting days and nights to make it the nursery of virtue and education? These orthodox gentlemen, so perfectly pure and correct in all religious and moral principles, is it they who have the management of it? they have not devoted one hour to it since the separation, and have not paid a single cent. Since the separation it has been in our hands, we have taken care of it, there we place our children to be educated in those principles of virtue and religion, of which you heard so much yesterday; there we place our innocent offspring, those in whom are all our hopes and wishes centered with relation to our religious principles, and the names we leave behind us. We have taken care of the school, it is under our control, and yet they ask you to say that the very fund for the support of our school shall be taken away from us, for the use of others. I ask sirs, is it honest? can it be legal? where is the legal principle that demands the sacrifice of the best feelings of human nature? If there be such a principle, it stands alone; it is a violation of the feelings of a man, of a pure and honest heart.

The speaker was here interrupted by T. Frelinghuysen, who observed, "Mr. Southard, you will admit that both parties have schools."

S. L. Southard. I speak upon evidence as I believe the fact to be; there may be a school now, but there was not formerly; I speak upon the record and the evidence and when I wander I shall be very glad to be corrected.

We have now seen the fund, and what are its nature and its objects, to whom it belongs and in whose hands it is, and an inquiry very naturally results, is it to be taken away from us? the minority were not satisfied; we had possession of the fund; they were not satisfied with that, and must have a legal contest about it.

Mr. Hendrickson, who was treasurer, and who has no interest in this matter as treasurer, who represents this minority, brought a suit for the purpose of taking away from the majority this very money which they themselves had given, and to take it away from the object to which it was devoted; sirs, they were not satisfied with our possession. Joseph Hendrickson, their agent, on their behalf called us into a court of justice. We had no alternative, we had to follow; it is no act of ours that I stand here to advocate my clients' rights. We sought to avoid it, and would have done so had it been in our power. Well, this minority it is, that brings us here in this view before the world; they have compelled us to enter into this litigation, and they have actually ventured here to point to the discipline, to the constitution of their society which forbids them to go to law with their brethren; it is a principle engraved on their written constitution; notwithstanding this they use force. And

how do they attempt to evade this discipline? Shotwell was not at the moment he was sued, although he had been before and has been since, a member of the society of friends; therefore they could bring a suit against him. But who did he represent? was it not brought against us? he was but our representative, and it is a mere pretence that they brought it against a man who was not a friend. That man was indifferent to this controversy; the suit was against a majority; it is nothing but a quibble, and a mere evasion of the great principle of their institution.

But, sirs, when they were determined not to yield, we being in possession of this fund, sought to avoid this litigation, and we offered them terms, which have been read to you, for the settlement of this controversy as friends; but this was rejected; and why was it rejected? I will not open this volume to show the grounds on which it is placed. You will look at the examination of the witnesses who were members of this meeting; you will there find the grounds on which the refusal was placed. They were in substance these: because the majority made an offer in their character as *friends*, and would not admit that we were seceders and heretics; that is it. They were not satisfied even to accept the offer of a compromise unless we were ready to blast our own character in that offer. I will not characterize the principles and feelings of those who have rejected it on such grounds; their character is given by the feelings and in the hearts of all those who hear the sound of my voice.

They had another objection; that they were not addressed as the preparative meeting; thus admitting that they were right, and we wrong, although it was addressed to them in such a way that none could misapprehend it; it was understood perfectly by all to whom it was addressed, and yet they would not consider the offer to compromise. I have read of men of this world who possessed some of those errors which the learned counsel spoke of, and who, when they were addressed in terms not exactly suited to their own ideas of their dignity, rejected and spurned those by whom they were addressed. There are many instances in history, but they all, save one, that I recollect, are founded upon corrupt feelings of human nature. That one was the father of our country. When he was representing the growing liberties of a growing nation, and was addressed by men in arms, and who admitted not the dignity of those he represented, he then rejected the offer. Sirs, he then spoke for his country—he spoke for liberty—he spoke for man; he was the representative of them all, and was determined that they should not be disregarded or disgraced. But that is not the feeling here; it does not refer to religious principles, but it is looking at property: "Admit that we are the preparative meeting and then we will hold the pelf." I will not speak of the feelings which rejected this compromise.

Having rejected the offer, and being brought to this point, we are now in argument before your honors, told that we have no personal interest and that they have none; that they ask not a victory here in reference

to any matter of pecuniary interest, but are asking for the establishment of religious principles. Is it not to sustain their peculiar religious doctrines? We never have gone, nor our fathers before us, into courts of justice to establish our religious principle, and so long as we retain the name of Quaker we will not; our fathers spurned the idea, and our adversaries know it. But sirs, we have a feeling in this case, and a personal interest, a pecuniary interest; labor as you please to make the motives of the adversary high and lofty, we have a pecuniary interest in this matter. We created this fund, and they ask you to take it away from us upon the principles that we have laid waste our civil character; we will *fight* for the money—(I beg pardon, the word was my own, not my clients.)

In passing over this portion of the cause, I have endeavored to give you a history of the case. I cannot but remind you of a fact which stands to my comprehension, strangely in contrast with the professions which we have heard here. I mean the profession that they are seeking only the one great object pointed out to you. When the separation took place in the monthly meeting, and they withdrew from the body, what was the warning which they gave us? Samuel Craft will tell you what it was. We will lose none of our rights—what were they looking at? we could not take away their religious rights or their liberty of conscience. What influence could we have on them? could we affect their religious rights? No sirs; but their eye was fastened upon the school fund and the meeting house: "Mind you, mind you, we lose no rights;" and now they say, "we are not looking after money but religious principles." Put this and that together and then tell me what he was looking after. This was always the cry: "*We will not lose our rights!*" they were acting under the direction of their Philadelphia lawyers, *that if they meant to keep the property they must give notice that they did not intend to lose their rights of property;* looking at that and not beyond it. They were to lose none of their rights. They are not to look into the body of this society, and if they have these rights, they are to draw them from some external source.

And permit me to say to your honors, in an inquiry into this case, it presents a more extraordinary spectacle with regard to the fund thus created. A minority withdrawing, found not their rights upon membership with us in our own meeting, but in consequence of a connexion with an external body elsewhere, and on this ground they are to take from us our property; it is a most extraordinary aspect of the case. Sirs, I find in the bond no acknowledgment of any such external relation. I do not find in the subscription paper, any acknowledgment that this preparative meeting was to hold it as long as the monthly meeting permits them, or the quarterly meeting permits them, or the yearly meeting permits them. I find no such thing written in the bond, and when I look to see what is to be done with this subscription, I look to the words of the instrument; I cannot see elsewhere, nor as a man of sense would I look elsewhere, to see what is to be done with the

fund. I find no such acknowledgment, yet on that idea this suit is built, and we are endeavoring to save property which is ours and in our possession.

If your honors please, the idea which gives to this case its magnitude is this: there is something out of this particular society or body, which is to operate on and take away the money from one party and give it to another. This gives the importance to the controversy that you are now to settle; for, recollect that my clients can have this money taken away from them, only on the principle by which the general question is to be decided; with regard to all their other property they must be subjected to the same rules; if the fund is to be taken away in consequence of their not being connected with the particular yearly meeting, or of any other extraneous circumstances, it is on the principle which applies to all their meeting houses, all their school funds and school houses, aye, to their grave yards, where their fathers and friends lie buried.

And if that principle be established here, all this great society, who are listening with agitated hearts to the investigation of this question, all this great body must have a decision against them, which will leave them with only the canopy of Heaven for a building in which to worship the God of their fathers—will leave them without a single house in which their children may be educated, and without admission to the cemeteries of their dead. Can they meet such a question with indifference? can I discuss it with indifference? I should scorn my nature if I did not feel. Sirs, they cannot surrender these things; the whole of them. It is not this fund alone in controversy. Without a struggle they have followed when they were called, and answered when they were compelled to answer; but they will never surrender all the property, and all the matters connected with their feelings, their hopes, and their happiness, until that power, which they cannot resist, shall tell them, "depart, you have no right here."

I hope to save the law from the reproach of such a decision; and in doing it, sirs, I know one thing well, and our adversaries know it. Even admitting that those whom I represent are as our adversaries say they are, it would be well for them to follow the example of the early members of this society. This is not the first time that a question of this character has arisen. When Barclay and Penn were most distinguished in this society, a controversy of this kind arose. I speak of a historical fact. A portion of the society separated from the rest. They were called the separatists of that day, and when they went away they cast back upon the majority of the society, who remained firm, the charge of intolerance; that they had taken away their property and would not admit them to their grave yards. An answer was given them in the language of Penn, "It is false and untrue; we know that you have a right to this property, and that it cannot and ought not to depend on your thinking as we think on religious questions; we never denied you a portion of this, and we are a vast majority, but your share you shall have whenever you ask it of us."

Read the history of that day, and you will find these principles of the society written in letters which cannot be misapprehended; and I act on the principles of Penn and the society, when I endeavor to save both the society and law from the reproach of a belief, that this minority is to carry away the whole of the property. I will refer you to a work which has been exhibited here, 2d Penn, 192, 212, Story's Journal, 265; Griffith's Journal, 230, 231, where these principles are laid down as matters of history; it was their principle then, and it is our principle now. I would that it were the principles of our adversaries.

There is another circumstance which has often been brought into consideration in the discussion of this case. I mean the controversy of George Keith with this society. The history of this controversy and the character of it, have been laid on record, in which the principle upon which they acted is exhibited. George Keith carried off, as the history tells us, a large number of the society; some of them had property, some had a majority and others a minority: was there in any one instance a contest for property? No, no, in that day Quakerism said, "let them hold all before we will demand it before a tribunal of justice."

But, sirs, notwithstanding this fund is in the situation in which I have endeavored to present it, notwithstanding this majority stands in that relation to the fund, notwithstanding they were in possession of the whole fund, notwithstanding the principle of justice to which I have alluded, notwithstanding the practice of this society from its origin to the present moment, it has been decided that the minority is entitled to the whole of this fund; in other words, that my clients, the majority of this meeting, have forfeited all their rights, and are to lose them; and in losing them to this fund, they are to lose them to all other property that for a century and a half has been gathered up by them.

It is this decision, sirs, which I have to meet in this discussion. The decision by one of the learned judges who decided it, rests on the ground, that we have lost our rights on account of religious faith; by the other, that we have lost them in consequence of withdrawing from the society, and for violating the principles of the discipline and constitution; thus taking them both together, they lay waste our civil and religious character. Against this decision we have appealed, and we do most earnestly protest, we do it respectfully, but firmly, in the name of the best feelings of our nature, in the name of justice, we protest against such a decision.

We have the burden, I admit it, of showing that it is wrong. For myself, I feel the weight of that burden, and I feel it heavily. One of the men who pronounced that decision still lives, honored for his wisdom and his virtue. Of the other you have heard much, both during his life and since he has departed. I will not quarrel with the learned counsel for any eulogy upon that man, but I will not admit that he or any man stands a-head of me in respect and in reverence and in devotion to his memory. That opinion, the learned counsel told you, was

pronounced in an hour of gloom; it was succeeded by an hour of deeper gloom. He said he sealed it with his blood. Sirs, this was not so. When that opinion was pronounced, it was in the vigor of life, and he died, believing that he had in that opinion been guided by established principles of law. But he then knew that I denied the law and the justice of that judgment, which I am now about to canvass here, and in which I told him according to my best feelings and judgment, he had erred. And if in the investigation of that judgment, I should speak strongly, I shall not speak irreverently of him, but as he would demand of me, if he were here to order and command the mode of my argument. Sirs, he would spurn that reverence that could make me halt in the discharge of my duty. He would scorn that respect, that would paralyze the effort of the advocate, and disown that friendship that would hesitate for a moment to show his errors, when they had an effect upon law and justice. Sirs, he was an honest and an able judge, but he could err, and no man was more conscious of it, and none that I ever knew so anxiously desired the correction of his own errors. He loved his reputation for wisdom and integrity, but sirs, he loved justice more, and nothing could or ever did give him more pain than the suspicion, that in regard to this, he might have erred.

I believe, sirs, that in this opinion he has committed great and manifest and palpable errors. It shall be my purpose to show it, and I do this with the profoundest reverence for himself, and regard for his memory. In approaching this decree and the opinion on which it is founded, it is a consolation to me and a strong consolation too, that these learned judges did not agree in the views which they take of this case. By their opposition to each other, for it is nothing else, by their failing to agree in the views which they take, they aid me in this investigation. If they were united, and united in precisely the same views, there would be much greater strength in their decision. But the views they take are founded on different aspects of the case. They do not agree sirs, and with all the effort they could make for the settlement of this great controversy, they could not agree in the views which they took of it. Chief Justice Ewing puts his opinion distinctly on this ground; that the yearly meeting at Arch street is the true yearly meeting, and that under the discipline of this society, the friends who seceded from it, thereby lost or forfeited their rights. This is the ground on which he puts it. He explicitly avoids all questions as to the religious doctrines of the parties. The first learned counsel of the orthodox, infers that he would have decided with them on this point, if he had thought it necessary to decide that point. But that is the mere inference of the counsel. It is not and cannot be shown from his opinion. I deny it. Chief Justice Ewing has no where said, that on the point of religious doctrines, the orthodox party were correct. He has nowhere said that friends were incorrect. When the counsel makes his inference, he does injustice to the judge as well as to the adverse party, and if you will look at this opinion, page 40, 41, 52,

and 59, you will find a clear and explicit refusal on the part of Chief Justice Ewing to enter into the question as to religious doctrines. It is not necessary to read these passages here, as you have read the opinion in your closets, but I hope you will refer to them. He avoids religious opinions; he rejoices that it is not necessary that he should inquire into these religious opinions. It is true that the chief justice insists that the society of friends, that quakers, have religious doctrines, and says too, that these doctrines may be found in many works of standard authors. Well, sirs, have we denied that in our answer? have we denied it in the evidence? have we denied it in argument? when and where do we say, as you have heard from the adverse counsel, that we declare there are no religious doctrines connected with this society? when did we declare it? I deny it. We have never, any where, made any such declaration. We have religious doctrines. How could we be *christians* without religious doctrines? But even *that name* has been denied to us. How could we be a band of religious people, how could we be united together in worship without religious opinions? How is it possible for us to make such a denial? We have denied that certain doctrines pointed out, were doctrines of the society, but that does not admit that we have no religious doctrines, and we have shown in our answer that we not only have religious doctrines, but that we rely on them with a faith, for which we are ready to answer to the God who made us, but that we are not ready to answer to our fallible fellow man.

Now, sirs, while the chief justice places it on the ground, that Arch street yearly meeting is the true yearly meeting, and that we have lost our rights by withdrawing from it, Judge Drake places it on other ground, and expresses a doubt whether a forfeiture should take place, even supposing we had committed an error, in relation to government or discipline. In page 72 he remarks, "But the Chesterfield preparative meeting with respect to this fund, may fairly be considered, not merely as a trustee, but as having a beneficiary interest, inasmuch as the fund is to be expended in the education of the children of such of its members as are poor. It is a subordinate meeting, the pretensions of which are to be settled by its acknowledging one or the other of these yearly meetings as its head. There was some difficulty in selecting which it should acknowledge, and if the majority had mistaken the truth, and connected themselves with the wrong head, (supposing this to be a mere dispute as to government or discipline,) I should feel very reluctant to conclude that they could have no further right or interest in the fund."

Here then Justice Drake puts aside directly and positively, the ground on which the chief justice rests his opinion. He says, that on that ground, he doubts whether, if this Chesterfield meeting has committed an error, that they are therefore to lose their property. We have then these two judges standing on totally different grounds; the one resting on the ground that we have separated from the true yearly

meeting, and the other on the ground that we have erred in religious doctrines. How does the learned judge get to that? I wish here distinctly to state the mode pursued in reaching that point, in order that the court may follow me in any suggestions, that I may make in relation to it.

The quakers have religious doctrines; the orthodox party have shown that they hold these religious doctrines, and deny that friends hold them. Friends have not shown that they do hold them, and therefore the orthodox must take away the property. This is his argument Take it and weigh it in the scale of common sense, (I desire to speak respectfully of the judges,) and tell me what it is. Here are two parties formerly belonging to the same society, and one says we have certain religious opinions, and proves it, and takes away all the property. They say to the others, "we seek this forfeiture not by proving that you are wrong but that you will not admit that your opinions are sound, and from it we infer you are guilty, because you will not prove yourselves innocent. We say that you do not hold certain opinions, and because you will not prove that you do, (and how are you to prove it,) you shall be punished by a loss of your property." Is not this a fair exhibition of the opinion of Judge Drake? Is there any other principle connected with it? If there is, I have not the intellect to find it out, and on that head it is destitute of law, of common sense, and of justice. I repeat again, I do not wish to speak disrespectfully of the judge, he erred, and the greatest men err. I have known him long and have loved him well, but he can commit errors, and he has here committed as great an error as ever a judge did in a court of justice.

T. Frelinghuysen. Will you permit me to read a sentence from Judge Drake's opinion.

S. L. Southard. I will let you do as you please sir.

T. Frelinghuysen then read a passage from page 87 of the opinion, and observed, "that will stand the test of scrutiny, of talents, and of time.

S. L. Southard. The learned counsel has made his speech and I shall proceed.

T. Frelinghuysen. You said I might do as I pleased.

S. L. Southard. I will always let you do as you please sir, here or elsewhere, for I am sure you will always do right.

The great error which the learned counsel has fallen into in reading this extract to the court, arises from this simple fact, and it lies on the very surface of this case, and in the decrees or bills of interpleader; it is this. That here are not two parties contesting for a piece of property for the first time, in a way that is to show who has a right to the property, or who cannot have it, as in relation to rent, and where one party has never had it in possession. Here in this case, both parties are in possession of the property, both start at the same point in the investigation of their rights, and the question is not, who shall recover

a new piece of property, but who shall forfeit the old. This is then the error into which the learned counsel and Judge Drake have fallen. We are not, now before the court, contesting for new property, but here is a piece of property, which has been in the possession of both, and the question is, which is to forfeit the rights to that property. Here one party asserts, that the other holds incorrect principles, and the other denies it; and there is no proof that the principles of that one are incorrect. Can there be a forfeiture enforced under such circumstances?

We come back again to the question, not of claiming a new right, but of forfeiting an old one in our possession; and the question is whether we are to lose it, because we have not answered. I am arguing as if we refused to answer, but we have answered completely, entirely. But if we refused to answer altogether, and Decow said, "I belong to the preparative meeting and will not answer," suppose that were the case, then I should take the ground on the principle I have presented. He could not be compelled to forfeit the property, because he would not answer. The distinction is between the question as to the nature of the property. No lawyer can mistake it. It is as light as day. It cannot be misapprehended unless intentionally. Sirs, I return.

The opinion of Justice Drake, according to my understanding of it, is that precisely. He finds both parties in possession of this property. It is in the hands of the treasurer, (and I am willing to admit for argument, that it is in the possession of both,) and Judge Drake comes in and lays down this principle. One of the parties demands of the other to answer to certain charges respecting religious doctrines. That party refuses to do it, therefore, it shall lose the property. If that is not the substance of it, as I before remarked, I have not intellect or capacity to discover what it contains; and it is unsound both in law and justice.

We cannot under our institutions have a forfeiture created in such a mode as this. To lose this property we must have violated some law. Now, sirs, I rejoice in having the advantage to show, and the burden is much lightened by the fact, that these judges have placed their opinions on different grounds. They have not presented a united force which we have to overcome. In one thing only do they agree, and that is, that there is to be a forfeiture of the money by my clients. The one decides that for our *conduct*, and the other for our *belief*, we are to lose the fund in our possession. I repeat again in this investigation, the view of the counsel is not correct. We have rights in this fund; our fathers made it, and did not make it alone for charitable use, which they pretend, but for our use—for our children. And if the management of this fund was in question, and there was no right or interest in the fund beyond it, still as we created it, the principle of justice will call for our management of it. From the grounds on which I have endeavored to place this controversy and the manner in which I have endeavored

to show the position in which the fund stands, and the right of these parties to it from the creation of the fund, I mean from the position of it arising from our being a majority, you will perceive I am not to make an argument to show that we are to acquire the right, but to show that we are not subject to a forfeiture. The distinction is important and I trust you will not forget it. It is not that we come here to show the right to acquire property, but to deny that we have done that which should create a forfeiture and loss of it. And in doing that, I have therefore only to show that the ground of my adversaries is an untenable one. I have to answer them to resist the errors which they have incorporated in their argument, as applied to the facts and the principles of this case. I shall endeavor to do this, leaving the great ground of our own right to rest on this principle, which I have endeavored to show, and which was so clearly set forth in the irresistible argument of my associate counsel.

What then are the opinions which I have to resist? What are the errors of the argument which I have to overcome?

The first is, that our conduct in relation to the yearly meeting, was so incorrect as to destroy our rights.

Secondly, that our faith is so heretical, that there are no terms to be kept up with the heretic.

Now, sirs, in opposition to the arguments of our opponents, I insist in the first instance, that in a question of property, there is no subordination to the yearly meeting, or to any other meeting, which can affect the rights of this property.

That is my first position, and I will maintain it too, and before I state what is my second, permit me to say that this is a point which the chief justice has not investigated. He has taken it for granted—he has not taken the position and followed it out step by step, with that precision which his mind was in the habit of exhibiting, but has taken for granted that this connection and subordination did so exist, so far as relates to property, because it did, as far is it related to the religious opinions and doctrines of the society.

The first counsel who addressed you for the adverse party, saw this defect in the chief justice, and occupied more than half a day to endeavor to supply the deficiencies, and to show that that subordination did exist. I deny it, and in endeavoring to show it, I rejoice that the chief justice has left it in such way, that I have to struggle only with the adverse counsel who addressed you.

My second position is, that in an examination of the state of the parties in this cause, previous to, and at the yearly meeting of 1827, the principles of the society, and its actual condition at that time, prove that the acts of friends were not in violation of the discipline of the society, and cannot therefore be called a forfeiture.

In the investigation of this part of the case, so far as they went, they have made this great, and to me most astonishing omission. They forget to carry with them the great principle, and only bond of this society. They have spoken of it as a corporation, or as a society established as

other societies are established, and have forgotten altogether the peculiarities of this institution—the sole bond, the very law and constitution of their rights they have forgotten altogether. They have discussed it as if there was no such principle connected with it, and in that way they make out what they please. I care not how strong the mind may be, I care not how high the intellect may soar, without that it is impossible to read the truth. The stonger the mind the greater the error, because it carries itself further from the truth in this investigation. Here is a radical error of the investigation—they forgot it. I shall show presently what that was, and if I do not satisfy this court, that in all that was done by friends at that yearly meeting, they never broke this bond, but that the adversaries broke it, I shall fail in doing what I believe I am able and confidently expect to do.

My third position is, that a body out of this state, irresponsible to its laws, and out of the nation, (for this is the end to which it must reach, that a body thus situated cannot by its acts control this trust, or in any way direct the rights and ownership of property within the state of N. Jersey. In order to do this the laws must reach and control both parties in the controversy—they must reach him who dictates the rule, as well as him who obeys it, and you will remark that this will be the result carrying out their notion; that we may be deprived of our rights, by going to the monthly meeting; then the quarterly meeting may dissolve that and take it to itself; then the yearly meeting may dissolve the quarterly and take it all to itself; and thus having all in Philadelphia, all being disowned there, it must eventually go to the London yearly meeting. If that principle be correct, and according to the ideas of that advocate for orthodoxy, Thomas Evans, it is correct, it must finally go to the London yearly meeting. I say it is a monster which the law will not sustain. All their principles are wrong, and will be found so, if carried out to their results. You see, sirs, they say that the monthly meeting can destroy the preparative meeting, the quarterly meeting destroy the monthly meeting, and so on to the yearly meeting. It is because they are connected with the great society throughout the world; and therefore all this property must go to the society in London. They cannot stop short of there, for their principle carries them there. I repeat that this is a monster, which the laws of this state never can sanction. The law requires that he who dictates the rule, and he who possesses property under that rule, should both be under the control of the law; and you cannot reach this trust if it be so; you cannot make those who hold this trust take care of it according to its purpose. I ask you now if this principle be true? If this fund be carried to Philadelphia, and that yearly meeting should say the fund should go elsewhere, how are you to reach that meeting? how can you control it? there is no mode by which you can reach it. The laws are too feeble; the arm of chancery is a long one, and its power is strong, but it cannot reach the administration of a trust like that, and therefore, the existence of a trust like that, cannot be acknowledged.

My next principle and my last one, is, that there can be no forfeiture of property in our country, and under our institutions, for a false faith, or a change of faith; and I trust I shall be able to establish it. In addition to this principle, I hold, that if there can be a forfeiture of that character, it must be by the avowal of false doctrines, by the individual himself, and not by any with whom he may be united or connected, or hear preach; that it is a personal forfeiture if so at all, that there can be no forfeiture that is not a personal forfeiture, and that it can only be by an avowal of false doctrines by the individual, and not by those with whom he is associated, or whom he may hear preach. The court will see, if that be true, what is to be its effect on a certain part of the case in connexion with this. This error must be proved, not presumed. It is not to be inferred that I hold a false faith, because the man that I hear preach holds a false faith, or because I am unwilling to have even a heretic, treated incorrectly, and outside of the discipline and constitution of the church, or because I require that all the administrations of discipline should be within the rule of discipline. No, sirs, it must be proved upon me, that I hold such a faith. It must be proved on the preparative meeting of Chesterfield, that they hold it. This is altogether distinct and unconnected with the misconduct of the parties in relation to discipline. It relates to the question of faith and doctrines, and with regard to that question it is a personal matter. It must be proved, if a human tribunal will place itself between me and my Maker; if it will inquire what are your aspirations to the God that made you; how do you believe in relation to his will to you? I demand of them, that if I am in error in the intercourse with my Maker, I shall be proved to have erred. If they will place themselves in the position of my God let them have his infallibility, when they come to my punishment.

Now, sirs, I have stated the principles upon which I shall trust, to the mind and observation of the court, and I think the court have followed me with attention, and understand me. The natural course for me to follow, would be to take up each one of these positions, and by going through the whole case, to show that each position is sustained; and that being sustained by the evidence and facts, the conclusion would be in favor of my clients. But to take that course I should have to go over every new position throughout, and thus gather evidence here, and evidence there; I should be compelled, in that mode, again and again to repeat facts, to the weariness of the patience of the court, and not make my case so clear as by another mode. I propose, therefore, not to take up these positions regularly, but carrying them along with me, to take up this question historically; to begin at the commencement, and follow down the facts from the origin of these difficulties to their conclusion, and in going along to apply these principles to these historical facts as they occurred, seeking to bring the minds of the court to the conclusion, that these principles are founded in law and truth. I am persuaded too, that in the mode of this investigation, and as the first step, the necessary and important, conclusive step, in this inquiry, we

must see what is the nature of this society, of this compact, of this institution, about which we are talking; we must see what they are, what is the bond of covenant, what is the kind of compact; we must see how, and what they are, before we can apply the principles of law to them with certainty. Let us inquire who and what these parties are, what the society is, and what its peculiarities are.

Now, sirs, you must permit me to express my surprise at the remarks made in relation to this society. This question has been discussed by both the adverse counsel in this case, as if there was no peculiarity about this society of quakers; as if quakerism was a common thing, just like presbyterianism or episcopacy. They have in fact stripped it of all its peculiar notions, and the only ground, upon which they can rest their hopes, is by stripping off the peculiarities of this sect. There is not an eyesight in the world, so keen as to find a quaker, after you take off his peculiarities. I cannot find him. And thus stripped, they come into a court of justice to inquire about his rights. They talk of the light within, and say it is the spirit operating upon the heart, just as episcopalians or presbyterians. In relation to the *Trinity*, the learned counsel says they believe just as every other denomination of christians believes, except in the use of certain words to express it; and in regard to the *Atonement*, it said that they think that a satisfaction has been rendered for sin, that the ransomed debt has been paid, like other christians. And the learned counsel made them to believe in all the consequences of original sin, and was about to make them believe in the effects of Baptism and the Lord's Supper.

What were their peculiarities? why were they a persecuted sect, an object of wonder and astonishment, in Europe and in this country, if they had not these peculiarities? are not their peculiarities more durable and permanent, than those of any other sect that ever arose since the sacrifice of the Saviour? I beg, therefore, that after all this exhibition of the quaker, we may be permitted to look after him, and find him, and to judge of him as he is, and not as he has been represented, perfectly similar to other denominations of christians. They are a peculiar people, and we must understand them, or we cannot place the proper construction on their conduct now. However difficult it may be, and I admit its difficulty, as I have never been educated in their peculiarities and faith, we must find out these peculiarities, if we mean to represent them correctly, and the court must understand them, if they mean to adjudge with justice and law. You will find in Sewells' History, page 6, and in Penn, 211, 212, and in a great variety of other works, not necessary to refer to, the origin of this class of christians.

Your honors will remember, that in the settlement of the Church of England in the reign of Queen Elizabeth, it was placed on a foundation which a very large portion of the English nation resisted. They were dissatisfied with it, and whatever may have been its history since, there was a deep spirit of opposition felt in the nation to that establishment. In consequence of that dissatisfaction there arose in England

very nearly two hundred distinct sects of professing christians. They were as numerous as the towns and villages scattered about the island. But all these, as well as those who adhered to the established church, relied for guidance to salvation, on external forms, and ceremonies, and observances. There was not one of them that did not do this. They relied on them as proof of their religious opinions, and incorporated them with their religious opinions. They all did this. There were in all these sects a few, who were dissatisfied with this mode of external worship, and with making their religion to consist so much in forms and appearances, without the reality. In the distraction which prevailed in that age, a single individual, failing to find that peace and consolation which he sought for, and which true religion only could give, retired and withdrew from the sect with which he was connected, and in secret sought his God, and in secret examined his own heart. There were scattered over the nation, men who in the providence of God had been driven to this, and among them there arose a young man, George Fox, who having this feeling in relation to externals, of making religious rights and ceremonies part of the essence of religion, and seeking that inward consolation which he believed could only come by retiring within, and waiting for the openings of the spirit of God, sought in that country for those who were thus driven, and he found them. The spirit which governed him and them, collected them and formed the society, and this society was formed upon the great principle that the spirit was their bond, which united them and led them on to the truth. It was that which was to crown them with eternal life and glory.

It was at the age of twenty-five years that an incident occurred to him, which gave an energy to that society, and an interest to those who were looking at them, which at once established the character of the society as a separate and distinct class of christians,—and that fact was the imprisonment of George Fox, who was at that time their leader. I do not mean a man who was their spiritual guide or director, but a man, who under the influence of the spirit, was most active in carrying forward the great work to which he devoted himself. But he was not a leader or guide. They had no leader but one, and as quakers, can never, never admit any leader but one. The imprisonment of this young man arose from extraordinary circumstances, which I beg in this discussion you will not forget. I think it gives something of a character to this class of christians. He had gone to Nottingham, and there attended one of the churches at the time of public worship. The preacher there in the course of the administration of the services, declared in his sermon, or asserted that the more sure word of prophecy was the scriptures. Fox being in that assembly rose and stated, that it was not the scriptures, for the scriptures themselves declared that it was the spirit. And for that very offence he was imprisoned.

Now, take that as the first gathering of this society, and compare it with the arguments delivered here. Why that very same declaration

would not have been listened to from any of the pulpits of that day; the objection was not confined to Nottingham; there was not existing at that day, a sect of christians that would not have declared, that the more sure word of prophecy is the scriptures; and yet George Fox was imprisoned for the denial of it. Yet we are told that they think as other christians think. Sirs, we have at the very commencement of this society, a distinct feature of it, and one that is not to be borne down by any theological arguments. I care not what is said by witnesses on this subject, they may say that this man wrote one thing, and that man wrote another thing, but that original fact stands as matter of history, and is a land-mark to guide us in this investigation. Fox was imprisoned in the year 1649, and that for the faith of his society. Now, sirs, it was that spirit operating on their hearts immediately and directly, revealing to them the truth, which was the rule and guide of all their belief. The operation of the light and spirit with the true quaker, is not, as the argument has attempted to show, the same with them, as with all other denominations of christians. It was the immediate and direct revelation to the heart, and in the heart, which was their rule and guide, and in it they found their bond of union. It was the life of righteousness which was their bond, and that only. They had this then, and if they continued quakers they must have no other bond. It was, sirs, this light, thus immediately and directly revealing to their own hearts the truth, which they looked to, to guide them. They appealed to that principle which they insisted had been implanted in the heart by God himself, not as natural conscience, but as a portion of his own spirit to rule man, and to follow its teachings and its guidance they directed all their efforts and affections. It was that, and their looking to that, which most distinguished them. Their language was, "To your tents, O Israel! God is your tent. To your God, O Israel!" It was their all, so far as religion was concerned, not because it denied the scriptures, but because it was their chief, their great and only guide, which could safely lead them; because it was from God; because it was God. It was the light of Christ. It was Christ himself, acting in them; it was their security, and their protection, and their hope.

Now, sirs, when they were "gathered up" into a society, they did not issue those expressions, they did not issue their terms in common with one another, nor did they establish doctrines as the bond of their society. If they did I ask for the proof of the fact. They did not do it. When they united themselves together, they established no principle of that kind. They had a bond, which was as strong as the God that made them. It was God himself—his spirit operating on their hearts. It was not the feeble observances of men, or the ceremonies of other sects. None of these. They did not form their bond or connexion of these. Whether right or wrong, we are not to judge. That was their bond, and we must keep it in view if we will ask what their rights are, or we shall err, in applying principles to them, which can only be applied to others. It may seem strange that there was not

something like a form and bond in the early connexion of this society, but for thirty years, (until Barclay wrote that book, and since then it was the same, for all admit that he wrote nothing new,) you cannot find allusion to any one principle, save this one, as their guide. If there is any thing of the kind, I should like to see it. I have read with earnestness, and have endeavored to find out all that I could in relation to this society, and all that I have read of their works, for thirty years from their origin, proclaim that there is nothing like it. You must create a new society, with new objects and characteristics; but I entreat that in doing it, you will not tear away from my clients their characteristics. Sirs, it was that principle which gathered them as a people, by attending to the manifestations of truth, or the immediate revelation of God in the heart. This was their true and only bond of union. It was the inward, invisible life of righteousness, and according to the views of this society, embraced not only those within the society, but all of every age and people, from Adam down to the present moment; all of every age, who, regarding that principle, and governed by that principle, and attending to the openings of this spirit, of this light of Christ in their hearts, should be carried forward from a state of sin, of guilt, of misery, to a state of peace and happiness.

And this was not confined to the little circle about Nottingham and elsewhere, but embraced all from the commencement of time, and embraced all the ancient prophets and priests, who were obedient to this spirit; and not only those under the Jewish dispensation, but all in heathen lands, who might pay devotion to this Christ, though they never saw him with their outward eyes, but appearing inwardly in their hearts, being obedient to his teachings, are good, just and faithful, and are embraced within this church. Their church was not confined to the narrow sectarian views of other churches, but embraced all the children of God, as the children of God. You will find this principle running throughout their writings. It is manifested in a great variety of extracts. I shall be compelled to call your attention to these extracts, but will not read them now, but in another connexion.

Well, in consequence of this principle, they felt bound from time to time to bear their testimony to what it directed them to, and they had this strong feeling, and this strong language; that the testimonies, the acting out of that spirit, were to be sustained, and not let fall—set up and not let fall; and they applied these terms to their testimonies, just as they apply them to their meetings now. You will find in their history, that they were to hold up these testimonies, notwithstanding their persecutions, before the world. They were not to let them fall; and let the consequences be what they might, they could not fall because they were the emanations of the spirit of truth. Hence the language of setting up a meeting, and letting fall a meeting, alludes to the support and sustenance of that meeting; keeping it in the life and vigor and activity of the spirit, which is their guide. And when they speak of letting fall and setting up, they mean the same thing; they do not mean

that with a *stroke of the pen* they have power to say what shall be set up or put down: they mean this: that "you are not to let fall your testimonies, but bearing them through fire and sword, and through all difficulties, sustain and uphold them; and as one of their testimonies, *to keep up meetings and not let them fall.* It is a testimony of the light within, and as the effect of that light it binds you together. You are to act so as to maintain that meeting in its vigor and healthfulness, and not let it fall." And if we carry that idea to their meetings, you will find an explanation of those portions of this discipline which have been so often commented upon. You talk of a yearly meeting setting up and laying down a meeting: it means that they should be together under the influence of the spirit, so as to support and sustain the evidence or testimony of truth, that it is in them, and not to let it fall. And when they speak of laying down a meeting, they mean that this spirit, not being sufficiently manifested in their walk and conversation, the life of righteousness not being sufficiently manifest, they had better lay it down. And this is as full an explanation as I can give, as I understand them. It is with difficulty that I can get hold of their terms, but I rely on it as being correct; it is an explanation consistent with their principles of peace and love. The construction put by the opposite party is that of power and force; that is not consistent with the spirit of love, which anciently prevailed, but according to the views of modern times, the spirit of force and power should be applied. And where was it applied in the early institution of this society? nowhere sirs. The spirit of love ruled and governed their actions, and when that was not warm and ardent enough in friends to sustain these meetings, they then thought that these meetings could be continued no longer. Am I not more in accordance with the spirit of love in this explanation of that principle, which is the beginning and end of truth and peace and religion? I shall show you the operation of that spirit, presently, in their bearing the outward testimonies which they did from time to time, and in forming meetings for the care and encouragement of each other. They established those meetings which are since called meetings for discipline, the object of which was to aid each other.

In looking back to the origin of the society in which this discipline is founded, I challenge the production of a single fact which can show that there was a subordination of meetings in relation to any thing else, or that there was any kind of connexion, in respect to any thing, but the support of the outward testimonies of the society. What these outward testimonies are I shall show you presently. Let this challenge be met. No, sirs, they formed meetings for the care of each other, to aid and assist and sustain each other under suffering; taking care of each other, that they bore before the world, those testimonies which the spirit of truth dictated. It was for a watching superintending care over those whom they believed to be the children of God. From that, every thing connected with the discipline has sprung, and

had its beginning. I speak not of meetings for worship, but of meetings for discipline. These knew no power to bind them but God. Here was no creed, and they believed that God himself had bound them, and that while they lived and acted under his spirit, nothing could sunder them. But, sirs, they gave out their testimonies, and they were the emanations from the light which was within, and all these they regarded as the fruits and effects of that inward bond, of that light. It was so with regard to speech, and apparel, and war, and oaths, and a hireling ministry. They considered these testimonies as a revelation of that infallible spirit of truth, which was their guide. That was the great foundation of their testimonies and they believed it to be so. If you were to ask William Penn and George Fox (were they here), what they mean by their testimony against war, they would say, that it was a dictate of the spirit of truth, of the light within which they bare before the world, as the fruit and effect of that spirit and that light. That would be their answer. And when individuals let fall these testimonies, and did not sustain them before the world it was cause for disowning them. And why? Merely because they broke these testimonies, merely because they broke that bond? No such thing: when a man violated a testimony, for instance, in relation to war, it was not for the violation of the testimony, that he was considered as having rendered himself liable to be disowned, but it was because, by breaking that testimony, he showed that the inward bond and connexion was broken; that the effect and fruit being destroyed, he had fallen from the truth, and finding that the bond and the spirit which connected him with the society was gone, that the life giving principle was dead, they disowned him.

And with regard to doctrines, what are they? To speak in language the most intelligible, the word doctrines, means things that are taught; it means teachings. And what were the doctrines of friends? They were the teachings of that inward light. This life of righteousness, which is a doctrine which they held, was a direct emanation from that light. That light directed them to the scriptures, bid them to believe in the scriptures, and was their guide to salvation; and it told them to bear these testimonies. These were their doctrines. In a few words then, in corroboration of that view of the case, permit me to say that this inward light was the fundamental truth of the society. The opinions which they entertained in regard to religion were the doctrines, the teachings of that inward light, and fundamental truth. The testimonies which they bore before the world were the fruits of that light operating upon them, and carrying them forward into action. This fundamental truth was the great tree of their religion, and on that tree were those doctrines and testimonies given before the world as branches and fruits. And adhering to that tree and regarding it, and not permitting these branches and fruits to be borne off, they have, for a century and a-half, sustained their society, and if they continue to

do so they shall sustain it, until it shall be the will of Him, who can either uphold or destroy, to let it perish.

SIXTH-DAY AFTERNOON, 3 o'clock.

I had endeavored, if your honors please, before the adjournment this morning, to exhibit somewhat of the origin of this society, into whose rights we are inquiring, to find out if I could the principles and the peculiarities, which distinguished it from the rest of the world, in order while measuring to it the rights to which it is entitled, we might look to the *reality*, and not to fancied individuals or a fancied society. I have done this, because I believed there could be no safe administration of justice, unless we did understand what the peculiarities of this people are. I had endeavored to satisfy you that there was one great, leading, conclusive, and marked feature, which distinguished them from all other professing christians. That that feature was proclaimed in public by the founder of the society. And I endeavored also to follow down the explanation of that feature, so that it should be within the distinct apprehension of all of us. How far I have succeeded I must leave to you. This feature, however, does not stand upon any inference of my own; it is to be found in every one of all those passages which were read by my associate counsel; and I venture to say, that no man understands one single one of those passages, that does not find that feature there. I beg for a moment or two to call the attention of the court to some of those passages, which may be considered as an index to those already read. The Christian Quaker, has been read repeatedly, and I will refer you to page 124, in which the author commences with this idea.

"Being to write of the light of Christ within, the great principle of God in man, the root and spring of divine life and knowledge in the soul; that by which salvation is effected for man, and which is the characteristic of the people called quakers, their faith and testimony to the world; I desire to consider it under these three following questions, as stated by none of the meanest of our adversaries, being comprehensive of the principle, its force, and friends."

The second question runs thus: "what is that light which leadeth to salvation, and how doth it lead to salvation?"

"By light, I understand not the metaphorical use of the word; as when Christ said to his disciples, 'ye are the lights of the world;' or as the apostle speaks, 'now are ye light in the Lord,' nor yet the mere spirit or reason of man. But Christ, that glorious sun of righteousness, and heavenly luminary of the intellectual or invisible world; represented, of all outward resemblances, most exactly by the great sun of this sensible and visible world. That as his natural light arises upon all, and gives light to all, about the affairs of this life, so that

divine light arises upon all, and gives light to all that will receive the manifestations of it, about the concerns of the other life. Such a light I mean by 'that light which lighteth every man that cometh into the world,' and that leadeth those that obey it to eternal salvation."

He is asking who is the *christian* quaker, not the *infidel* quaker, not the man who *denies* the christian religion, as we have been represented here; but he is asking who is the *christian* quaker, and his answer is, that he is the man who adheres to the light, the great principle of God in man, and when he inquires what is that light, he tells you that in relation to the religious world, and in regard to the heart, it is the same great principle with that great luminary which is now giving to the natural world its light, and its existence. It is as the *Promethean* fire drawn from Heaven itself, and gives animation to all the intellectual, the moral, and the religious world. It is this great pervading principle which we rely on; and without it, you may call a man a quaker, but he is no quaker.

The next is the preface to Fox's Journal, written by William Penn. Such names must give currency to the truth, when we are inquiring who are quakers and what are their principles. Page 14.

"Two things are to be briefly touched upon: the doctrine taught, and the example they led among all the people. I have already touched upon their *fundamental principle*, which is as the corner stone of their fabric: and to speak eminently and properly, their characteristic, or main distinguishing point and principle, viz. the light of Christ within, as God's gift for man's salvation. This, I say, is as the root of the godly tree of doctrines, that grew and branched out from it."

Now, sirs, when I presented to you this great fundamental truth, this morning, as the tree upon which grew the branches of doctrine, and the fruits of testimonies, I had the authority of William Penn, and other of the founders of this society. He calls it their characteristic or main distinguishing principle, and yet it is to be wrested away from us, and without it we are to be regarded as quakers, and if we adhere to it, we are denounced as heretics, and the forfeiture of our property is made to depend on it. It is the main distinguishing point and principle, the light of Christ within, which they depended upon. It is the tree upon which grow the branches of doctrine and the fruit of testimonies. There is his starting point, and it must be the starting point of every court and every man, who seeks the truth in relation to this great inquiry. I will call the attention of the court to Barclay, page 99, a passage which has been read two or three times. It is not necessary for me to read it again, but I beg you will refer to it, and bear it in mind.

Now, sirs, he is inquiring into the principles of christianity, calling them principles of christianity, and inquiring distinctly what these

principles are; what are the principles which he and his associates hold; and he tells you, their first principle is this. And what was it? It was the *inward essence*, the bond and ligament which tied them together, it was somewhat of God, some light, grace, power, measure of the spirit, some divine, spiritual, heavenly, substantial life and virtue. But where was it to be found? In one man only, or in any one age of the world? No, sirs, in all men emphatically, and in every age. It was to be the faithful witness against all unrighteousness in the heart of man, and it leads, draws, moves, and inclines the mind of man to righteousness, and as he gives way thereto, it seeks to leaven him into the nature of itself, producing by its action on a willing heart, a resemblance to the maker of that heart. This it was, and there is no difficulty in the inquiry, in knowing what they meant by it. It is their chief principle, it is the great, first, fundamental trait, which stands alone in their system. It is that which distinguished them from all other christians, and if we take that away from them we destroy the quaker. You may make him presbyterian, baptist, episcopalian, or methodist, but you make him cease to be a quaker. It is his chief first principle, it is the point from which he starts, and he must carry it with him, every step through his journey, or he ceases to belong to that class of christians.

I beg your attention to a work, which was at one period in the history of this people, more the subject of comment, than any other one single book. It contained more matter of discussion in consequence of the peculiar circumstances in which the society was at that time. I mean Ellwood's Epistle. We have had from the beginning of this case, reference made to the controversy which existed in the days of George Keith. I shall allude to it now, but you shall hear more of it before I close, as I intend to present it to the court. Ellwood published this in relation to the principles advocated by George Keith. He was on the part of those who adhered to the institutions which existed then, and have come down now to the present day. And he exhibited to the world, the principles of the society in opposition to Keith. It is his epistle to friends, and it was approved in the most solemn manner, by the highest authority they had at that day, (in regard to ecclesiastical matters,) in England and throughout the world. I shall read a few passages, but if you would read it from beginning to end, you would find every line of it conforming to my view. It is "An Epistle to Friends, briefly commemorating the gracious dealings of the Lord with them; and warning them to beware of that spirit of contention and division which had appeared of late in George Keith, and some few others that join with him, who have made a breach and separation from friends in some parts of America, by Thomas Ellwood."

Your honors will remember, that Keith was very anxious to establish in the society, a form of doctrines, to which its members must subscribe, in order to hold a right of membership, which the society

would not and could not acknowledge. They had a bond, but it was a spiritual one. And you will find that Ellwood supports me, by what he says in relation to Keith, in the positions which I have taken.

"In what he (Keith) infers from R. Barclay, he mistakes him, I suppose. I am sure he wrongs him. He says, page 8, 'That some principles and doctrines, and points of faith are necessary to be agreed upon, together with the practices necessarily depending thereupon, and to be owned, professed, and declared by us, to be, as it were, the terms that draw us together, and the bond by which we become centered into one body and fellowship, and distinguished from others, (yet not this so the bond, but that we have a more inward and invisible, to wit, the life of righteousness,) is the express doctrine and testimony of Robert Barclay's book, called the Anarchy, &c., p. 48.' These are neither Robert Barclay's words nor sense in that place. His words are these. 'We being gathered together into the belief of certain principles and doctrines, without any constraint or worldly respect, but by the mere force of truth upon our understandings, and its power and influence upon our hearts; these principles and doctrines, and the practices necessarily depending upon them, are, as it were, the terms that have drawn us together, and the bond by which we became centered into one body and fellowship, and distinguished from others. Yet this not so the bond, but that we have also a more inward and invisible, to wit, the life of righteousness,' &c. Now observe, Robert Barclay doth not here say, as George Keith says his express doctrine and testimony is, 'some principles and doctrines, and points of faith are necessary to be agreed on' as if men were to contrive and cut out their own terms, and before they entered in a society or fellowship, should consider, consult, and conclude among themselves what principles, doctrines and practices they would have to the terms and bond of their society; much less that an owning, professing and declaring those principles, doctrines and practices, should be terms of that communion. But that those principles and doctrines, and the practices necessarily depending upon them, which we, *by the mere force of truth upon our understanding, and its power and influence upon our hearts*, without any constraint or worldly respect are gathered into the belief of, are, as it were, the terms and bond, &c. So that he does not make a bare profession, verbal confession or declaration of those principles, doctrines and practices, *to be any terms at all.* The principles, doctrines and practices themselves, he calls not the terms and bond, *strictly or properly*, but *as* it were. But the terms and bond, strictly and properly speaking, are, with Robert Barclay, the life of righteousness which is inward and invisible."

"His urging lesser matters, as plain language and habit, refusing to salute with the hat and knee, and men's and women's meetings, to be made and accounted by friends terms of their communion, and his ap-

pealing to all intelligent friends, whether it be not so, shows his ignorance and errors. I believe he will find no *intelligent* friend, that will own any of these things to be *terms of communion*, among us."

Can this be explained away? Is it possible for human ingenuity to overthrow it? Did Ellwood understand the fundamental truth of that society or not? If he did, then every position I took this morning, every principle is sustained by this author, and he represented the whole society in the controversy with Keith. In that day they thought as my clients think now, sirs; in that day they referred to that great principle, and there they found the terms and bonds of their communion. These testimonies alluded to are the fruits, the sign of the inward principle, the consequences of the bond, but not the bond itself. When any fell away from them, they gave evidence that the bond was broken. Now he goes on further, in relation to this.

"*Fruits, effects and signs*, I grant they are, (when they are sincerely and honestly performed,) of that *inward* and invisible life of righteousness, which is indeed the true and proper term and bond of our communion." But although we do not make those outward things the terms or bond of our communion, but that divine life and power which brings them forth, (when they are rightly brought forth;) yet inasmuch as we assuredly know that the testimony borne in those outward things, (plain language, plain habits, and refusing to salute with hat and knee,) is of God, and is that which God has led his people into, and required us to bear; and that our men's and women's meetings are of God's institution, for the service and benefit of his church; if any would pretend to be of us, and by practice contradict our testimony in the former, or oppose the latter, such would thereby manifest to us, that they were either not come to, or departed from, that divine power and life of righteousness, which is the term and bond of our holy fellowship and communion; and might therefore be justly refused by us, without making those outward things the terms of our communion."

Sirs, when I was attempting this morning to exhibit this bond of the society, I was not speaking in my own language; but I was using the same that was used in the year 1694, by the society of quakers. They may disown it at this day, but with it they must disown their name. I will not for the present detain the court any longer. I have read enough to show, from the first and highest source, the very best authority for my positions. There is none higher. It is incomparably better than the *expositions*, *scraps* or *texts*, published in modern times. We are told, thoughtlessly told, that we were to seek for the principles of this institution, from the views of intelligent men of modern times. Do not Hendrickson and his friends seek to exclude us from the society, because we do not believe with ancient friends; and do we

not answer and put ourselves on that ground—that we do believe with ancient friends? We have both placed ourselves on the broad ground, that it was the ancient principles of the society to which we have adhered, and by which we are to stand or fall. We put them at issue on this point, and I challenge the verdict of any man who will examine this question. There is nothing to contradict it. I give you the doctrines of ancient friends.

Here is one of the little "*spelling books*" which my learned and eloquent friend seemed to be so much offended at, because it was so little, as he did not wish to go back to the foundation of this matter. Now, sirs, I like this little book, because it contains the substance of this thing; and it is the *spelling book*, which enables us to understand the larger books. This book was published in 1808, when all were in unity, and it proclaims the same distinctive feature. It is "ADVICES" put out by the yearly meeting of friends of Philadelphia; sent out by them as their doctrine. It is to be the guide of them that are seeking to know what it is, until they are rendered sure of the foundation on which they rest. This book of "*advices*" is worth a great deal, in settling this controversy. "Christian Advices, published by the yearly meeting of friends, in the year 1808." Published for what? That they may learn whether they are to be Trinitarians, or to believe in the outward Atonement? No sirs, but that "they may be drawn to the principle of life and light, manifested in the mind, which points out the path of duty, and can alone preserve therein." I give you its language. This yearly meeting calls on them to mind the *principle of light in the mind*. And what do they say? What is the testimony of the whole united quakerism on that subject? It "points out the path of duty," but it does not stop there, they say, "it can alone preserve therein." They stood upon the ground that Fox, Penn, and Barclay did, and whether right or wrong, so far as quakerism is concerned they were truly orthodox.

I presented another little book. In page 159 of "Memorials," I read you a passage which related to the death of a female, who was not, as I understand, a minister, or distinguished by any office in the society at all: but because she was distinguished by her virtues and merits, she drew forth from the meeting, of which she had been a member, and at whose altar she had worshipped, this testimonial of her excellence and worth. It was Deborah Evans. Well, sirs, what did she say? and remember this book is put out as "Memorials of deceased friends, being a selection from the records of the yearly meeting for Pennsylvania, from the year 1788 to 1819 inclusive." Why is it put out? Is it to speak of the dead for the gratification of their connexions? The object is higher and better. It is to give to the youth examples that may induce them to follow, and go where virtue lies, and is held out to every child urging him to get the same testimonial respecting himself, when he shall cease to be. Could they trifle on that principle, when preparing such a work to go before the world? I

value the memorials of those who are gone. No society can trifle or quibble with them. It is impossible. And what does she say in regard to this matter? It was published by the consent of the monthly, quarterly, and yearly meeting, and they say her principle was right and true. And what was that principle?

"A few friends being present in her chamber, after a time of silence, she uttered some expressions of thanksgiving for Divine support, and then added, 'O that I had the opportunity to testify to the greatness of the Almighty; and that it was in my power to impress on the minds of the young people, the very great importance of giving up early in life; that the mind might have a foundation to rest upon, in the time of trial, when the world is as nothing.'

"At another season she said, that sometime back, upon hearing some parts of the New Testament read, respecting our Saviour, the query occurred, 'What do I know of a Saviour?' and it was presently followed by the evidence that she had felt a *principle in her own mind*, which had shown her what was right and what was wrong; and that as she had attended to it, it would prove a *Saviour* to her; and then said these expressions were brought to her remembrance, 'To know thee, the only true God, and Jesus Christ whom thou hast sent is life eternal.'" This is the humble christian's faith, and this was to her "life eternal."

What was it that she relied on as her hope for salvation? was it not that great principle which was within her, and which, as she regarded it, would lead her on safely, and which, she declares, was, "To know thee the only true God, and Jesus Christ, whom thou hast sent, is life eternal."

In the very commencement of this testimony you have this language. "With a view to excite in the minds of survivors, and particularly the youth, a close adherence to the intimations of divine grace, we are engaged to preserve some account of this, our beloved friend." Did that yearly meeting mean to mislead their youth, when they published these memorials, and carry them in that path, which we have heard would lead them to utter and irretrievable damnation? No, no. Or were they heretics? No, no, they meant no such thing. They were dealing with the dead; the grave of the just was before them, and the bar of eternity was within their view. Let them deny it, but then in doing so, they deny their faith.

If your honors please, this light guided and controlled all their religious opinions, and this light alone; and unity was the attendant on all their intercourse, and could not be broken, or they must dissolve; thus bearing me out in the great result of this great principle. What was it? I have endeavored to show your honors that it was not conscience; I have endeavored to show that it was not judgment; and that it was none of the active powers of the human mind, or corrupt principles of the human heart. It was not so. It was a sacred, and a holy principle, it was the spirit of Christ himself, planted in the heart; there it produces its effects, if its openings are regarded, and as the heart is willing leads to all truth,

and all salvation. It is not to be denounced as an error of judgment; it is something higher and better. Right or wrong, it was not what those who have railed against this institution have declared.

Well did my learned friend say, that Brownlee and Cox have erred in relation to this society, but my friend did not find the point of error. It was not on the religious doctrines of this people; it was that they did not understand the fundamental principle, and the point from which this principle originated. And if you look into the work of Cox, you will find that he argues to show, that it is natural conscience, and nothing else. It is not so; it is not so. The great error which they have committed, has been, in not first establishing in their own minds, when they undertook to examine the principles of this society, what was meant by this inward light, and you will perceive their denunciations are unjust. I do not say this is a principle which may not be perverted, and that they always follow the genuine leadings of this spirit, but starting with it, and keeping to it, with a humble, devoted, and ardent reliance upon it, and with no dependence upon human strength, it is sufficient for them. Relying upon this, they rely upon the God that made them, because it is Christ within them, the hope of glory.

But, sirs, what was the necessary result of this principle, in their intercourse with each other. I mean the effect of it in its operation, so far as they were connected together. I have endeavored in this discussion, to confine my remarks, to its operation on individuals who embraced this principle. But it goes through more than one, it reaches through all the members of this society. And what is the result? What must it be? Division, disgrace, confusion? No. And why not? Because it is the unerring emanation of divine and infallible light, which guides them, and guiding one and guiding the other, there must exist from the nature of the principle, unity between them. It is only when the bond is broken that this unity is dissolved. While that bond exists, one man must think and feel, in relation to the conclusions to which they are coming, just as the other who is under the same operation. And hence, if there be but one principle in this large assembly, and those who are present are under the overshadowing of this great spirit, which shall open views in relation to any matter, from the very nature of this principle, unity alone, can be the result. That consequence, is the necessary effect of the principle, by which they are connected together. And hence taking this principle, which operates on individuals, which is the inward light, in the view which I have given, it lays at the foundation of all their doctrines and testimonies, and unity is the necessary result of all their intercourse with each other. These are two distinct features, yet both of these features have been forgotten in the inquiry. Sirs, this unity is the necessary, inevitable, absolute condition of the existence of this society. It must be so, and whenever that unity is broken, the bond is broken. Why, sirs, there are institutions, corporations, connexions, aye, and other societies; there are presbyterians, and episcopalians, who are bound together by written bonds, and when

inquiring into the operation of the law, in relation to their dissolution, you look to the written bond. But is there any written bond here? No, sirs, this is the bond and contract, and when this is broken there is an end of the institution. It is in vain to talk of applying ordinary legal principles to a society like this. We must have a guide; we must see that we are consistent in the conclusions to which we come. I entreat you, if I have established these principles, to carry them with you, while I am investigating their effects. If you will take them, then you will come to one result, in the great inquiry into the rights of these parties. I entreat you, therefore, to take them with you.

I may here perhaps remark, on a point which I shall hereafter be compelled to investigate more at large: I speak of creeds. The quaker principle is that the light within leads into all truth, and that *men* are not to prescribe the terms in which the spirit shall speak. Can you give the spirit language, and say it shall dictate according to human language, and human words, the opinions which shall be entertained? If the principle to which I have attended is right, it is impossible. I do not wonder, in looking back, to hear the denunciations which were pronounced on creeds or confessions of faith. I am not particular as to the *word* used, but I mean a short written system of faith and doctrine, on a given point, without argument or illustration. As for instance "I believe in God the Father, God the Son, &c." That is what I mean by a creed, and I do not care, whether you apply it to the bulls of popes, or councils, or the Athanasian creed, or any thing else. It is, that men must believe in human language, a given idea. Now I ask, sirs, if the quaker principle be true, if the light within is to direct and lead them on, to that which is true, and that which is right, to teach them their doctrines, and enable them to sustain their testimonies; I ask if they can, or dare, in the face of this principle, say to their members, "you must believe in this way, and in no other." It is blasphemy, and a rebellion of principle, in those who thus believe, to talk of creeds. They cannot say in what way their belief shall be held. I have said that this principle was not conscience; I have said that it was not judgment. It is the dictate of the holy spirit itself; the manifestation or exhibition to their minds, and in their minds, of the spirit of God himself, and hence they called it the *spirit*, they called it the truth, they called it the light, they called it the Christ. Every one of these expressions is intended to show that it was the act of God himself, that it was the appearance of goodness, of God, in the heart of man, and therefore it could not err. Now I repeat again sirs, that whether this principle be right or wrong, scriptural or unscriptural, infidel or heathen, it is their principle, and I add, if they do adhere to it faithfully, they deserve to be called christians, in the highest and holiest sense.

But, sirs, this principle had another character. It was not a mere exhibition of the light; it was a manifestation of the love, not of the light only, but of the love of God from all eternity, to all men; a principle

implanted in every man, being from God himself; and was sufficient to save him if its openings were regarded. And this is the language which is held forth in those extracts we have read. It was from age to age, from eternity to eternity, from everlasting to everlasting. The love of the Father manifested to the creature, opening to him the avenues to salvation, to his happiness, and among other things pointing him to the great sacrifice made, not for the satisfaction of an offended God, (for who can satisfy him?) but as a means of reconciliation; and that is the light in which this atonement was considered—not to reconcile God to man, but to place God in that position and relation to man, and man in that position and relation to God, that this external love might be shown, without a violation of his law of justice, and of his government. It was to that reconciliation that this light pointed. But I must investigate this further, in another part of the argument.

I have now given to your honors, what I understand and believe to be the only distinctive features in this society. I speak not of the *fruit*, but of the *principle itself*. I have now a very natural inquiry to make connected with this spiritual profession. What was the natural effect on a class of men, who professed thus to be purely and entirely spiritual in their worship, and who utterly scorned and denied the efficacy of all outward observances, surrounded by sect after sect, drawing off numbers from those sects, when all the outward observances were made a portion of every religion, and they denied the whole of them? I ask what was the result? Why, every man's hand in Great Britain was raised against them. It was not the Antinomian alone, it was not the member of the Church of England alone, but every sect and denomination was against them. And why did they rise up against them, if they believed in the *Trinity and Atonement as other sects believe?* And if they had all the common properties of other christians, why did they persecute, abuse, torment, injure, and destroy them? Sirs, in every historical fact is to be found proof of the position, which I have urged before you. There was not one sect in the kingdom of Great Britain, that did not stretch out its arm for the injury of this spiritual people. You may read, I was going to say, a thousand works on the subject, but one alone will explain why this storm of persecution rose against this people. Besse will give you a history, and will lead the mind to this result: that these were a persecuted people, because they would not go with other sects; relying on the light within, to the whole world, with regard to spiritual matters they were against every other sect. Their principles were such that they looked upon other sects as being in error; and hence the violence of the wrath of other sects were poured upon this people.

I am not going to defend one side or the other, in their controversies; my object is to get at the character of this institution, at the peculiarities of this society, and I will not stop to settle questions between this and the other sect. I have said, sirs, that under this spiritual profession of religion, which was opposed to every thing that existed in

that day, scorn and persecution were the natural consequences. It followed not there alone, but in this country also. Let us recur to the puritans themselves, in their early days, and we find a stain upon their history, which every man that loves liberty, and religion, and justice, will desire to have blotted out. Sirs, the quakers were hanged for their opinions in Massachusetts, and by whom? By Trinitarians, by men of other sects; and because they did not think as other sects, they were declared to be blasphemers, and were punished to such an extent, that the arm of royal power was sent across the Atlantic, to save them from the persecution of those who held the doctrines and principles, which my eloquent friend has endeavored to sustain before this court; and nothing but royal power could save them; and it is the brightest act in the reign of that wretched monarch. But, it was not only in consequence of the peculiarities of this society, that they suffered persecution, but their principles drew forth from others, goading persecution; it was not that these men belonging to this society were needed by other denominations; their principles were assailed by all denominations, not by the Antinomian alone, but every other class, and were declared to be infidel. And why so, if their society possessed the features exhibited by my eloquent friend? And why should they be persecuted if they believed these doctrines, as other sects believe them? They were attacked in writing, and defended themselves—as my learned associate eloquently said, they had borne persecution until it was beyond all forbearance, and PENN came "to the rescue! to the rescue!" They loved their principle and were devoted to it, and it was calculated to bind up the whole heart, the whole man; and there was not a quaker in Great Britain that was capable, that did not write to defend it, and one individual wrote four thousand pages. Multitudes of books were scattered in defence of their principles. They could sink, without murmuring, under the weights of government, but when this their principle which was their life and light within them, was assailed, they could breast any difficulties, and they were prepared to wield the sword—but it was the sword of truth.

We are told to look at Robert Barclay. But he was a child in the principles of this society. Before him were Fox, Whitehead, Parnell, Dewsberry, Hubberthorn, Smith, Penington, and others, who had written the doctrines of the society. His claim as authority must be blotted out and rested on those who had gone before him: and Barclay was no quaker unless he sustained their doctrines. He gathered them up, and exhibited them to the world, as a learned man would exhibit them, but he had gathered them from Penington and others. A thousand volumes were issued from the press in their defence before Barclay or Penn ever wrote a line. Now, if they had not these distinctive features of their society, why all this? Could the fact that they were opposed to war make other societies persecute them? Could the fact that they said "*thee* and *thou*," in the simplicity of truth, make other sects persecute them? Could the form of their coat draw down the indignation of others upon them, or

their churches? Is there any thing in the *fruits* of their principles which could draw the slightest reproach upon them? There is not. And if it was not the great *distinctive feature* of their faith, which drew that persecution upon them, if it was their testimonies, if they were like other christians, then I say their persecution stands as the most inexplicable monument of folly and crime in human history. There is nothing like it, from the days of Adam down to the present moment, unless their *fundamental principle* is found an apology for that persecution. I beg to have explained to me, this great mystery in human story. Why is it, that in New England, infants were made fatherless by persecution, both father and mother torn from them, and they depending on friends for protection in suffering? It was not on account of the *fruits* of their principles. They were a peaceful people, and men are never persecuted for peaceful acts; but they scorned the religious observances of all other sects, and this raised an opposition in the hearts of others, which induced them to bear down with all the weight of human power, in order to destroy this people. Never would the page of history have been thus stained, never should we have read of the persecutions of New England, never would a quaker have swung upon the gallows in Massachusetts, if it were not that the *fundamental principle* of this people was at variance with every other sect. And yet now, at this time of day, when inquiring into the principles of this sect, we are told they have nothing which is remarkable in their religious opinions, to distinguish them from other sects. There is error in this investigation. There is a portion of this society, and perhaps they may deserve all the compliments which my learned friend bestowed upon them, they may be pure, honest and upright as men, (though I shall speak most freely of their *actions* before I close this argument,) yet with regard to *quaker principles*, they have deserted them, they are not theirs; they are not on the same platform with Barclay and Fox and Penn; yet there is a most extraordinary phenomenon that has turned them to the persecution, which Fox and Penn and Barclay felt. For the evidence of what I have said on this part of the subject, I shall not detain you; you are as familiar with the history, and perhaps more so than myself; but I will refer you to Gough's History, 2d vol. 220, 221, Penn's Works, in various places, where these matters are the subject of observation, Sewell's History, and Rutty on Discipline.

And, sirs, the importance of the investigation which I have given into our history, increases from the consideration, that our quaker fathers left England long before Barclay and Penn wrote. Some of them left in about twenty years after they were first gathered in that country, came here and brought with them and held up the same belief and the same testimonies, which they had proclaimed and borne in the mother country. And I beg that you will listen for a few moments, to the testimonials which the men who established this very society at Crosswicks, have given to the world, it is one of the exhibits of this

cause, that you may observe the language they used, their temper, their testimony and their faith. From 1680 to 1684, they formed a monthly meeting in the neighborhood of Crosswicks, they made a record of the proceedings of that meeting, and now I ask the favor of my associate counsel to read that record, that you may hear what was said about the institution, for which we are contending. It is marked, exhibit No. 49.

[Here Garrett D. Wall read an extract from the minutes of Chesterfield monthly meeting, alluded to by Counsellor Southard.]

You will perceive that this is one of the earliest settlements in this country, it stands in the same point of precedent, as it did in the establishment of the quaker society. You will perceive in it the same characteristics, the same view kept up, which there was in England, and you will see the affection, with which they looked to the principles of the institution there, in the gathering up of the wanderer among other sects, to the *inward seeking* after truth, which is the great point alluded to, and which they professed to be the great object of their labors. You will observe it was in the year 1641, that the first appearance of quakers was exhibited in England, and it was seven or eight years after that, before they were gathered into a large society, that this imprisonment of Fox took place. It was in 1656 only, that the settlement of quakers took place in Rhode Island; their yearly meeting was established there in 1670 and 1672; and friends came first to this state in 1667, and between that and 1670 made their first settlement here, at Shrewsbury. These facts are found in Proud's History, p. 161, and 2d Fox, p. 161. The original settlement here arose from a fact as stated by my associate counsel, and may be found in Smith's History of New Jersey.

It was a short time afterward, that Wm. Penn, the companion of Fox and Barclay, who understood their principles, received from the crown of England, the province of Pennsylvania, now that great and splendid commonwealth, for one of two causes; either because the crown of England was in debt to Admiral Penn, or as others stated, that he was a great favorite of the monarch; and to show his kindness to him gave him this province as a mark of special favor. Penn, the son, received it, Penn, the son, established it, with his friends, and planted that principle which he has handed down to us; and thanks be to that Providence, who overrules the concerns of men, for those principles, which shall continue to operate, while this land exists, and which are those of liberty, and rights of conscience, that my clients are now contending for. The settlement of quakers, was exceedingly scattered in the first instance, and the first effort which they made to raise up their testimonies, in the formation of meetings, was confined to those of worship only. They had been so in England, and in this country they had silently waited for the outpourings of the spirit upon them, and for the guidance of the light; but as in that country, so in this, their situation required speedily that they should have meetings not for worship only, but for what is called business and discipline; and the great object in this

country was, as in England, in order that they might take care of each other, support and sustain each other, in the support of the testimonies which they bore before the world; not to see whether each other believed according to a certain standard, but in order that these testimonies which they had received from the spirit of truth, might be maintained. But above all, these discipline meetings were intended for cases of suffering. We find it was their object to form a meeting which would enable them to sustain their brethren in suffering. In the first institution of meetings for discipline, they directed their attention towards taking care of each other, and children, and marriages, and to see that all the testimonies which they bore before the world, were properly held up, not laid down, but borne up and set up before the whole world. For this, these institutions were established; they were gathered by the spirit for this object. Well, they had monthly meetings in this country as in England, and they put forth rules, which were to govern them: but there was one rule in relation to all their discipline, and other matters connected with the society, which was to govern, and which did govern. It could not be otherwise. And that was *unity;* and that existed between them, in the support of each other, in their sufferings, and in bearing their testimonies before the world. This unity is essential to all their operations as a meeting.

Why, sirs, it is hardly necessary for me to say that these were the principles of this society, or to refer to any authority on the subject, so far as this society was understood by others; but you will find that the freedom in relation to matters of conscience, in permitting their members to bear their testimonies, as the inward light directed them, was acknowledged to belong particularly to this society; so much so, that Mr. Jefferson exhibits this society to the world, and speaks of this LIGHT WITHIN as being its *leading and distinctive feature.* You will find by the writings of Voltaire, that he points at it as the distinctive feature of quakerism at that day. I do not quote Voltaire as high authority on this subject, only that he was a learned, intelligent man. He looked at all religions, and saw what they were; and although he erred in relation to religion, he did not err in this striking fact. And your honors will perceive, that the institution of quakerism has been considered a more tolerant theory than Locke's plan of government for Carolina. In that institution it was settled as a principle, that there was to be no creed to govern under the administration, which he had established for them, but they might establish for themselves a system of religion, as originally set forth by William Penn, which carried out the principles of liberty, and permitted no restraint upon the conscience.

And were these men in error? They were considered infidels, and if you please, place Mr. Jefferson with them, I care not. Could not they tell you, when they looked at a system of government, what was the result of established principles? Who had more powerful and higher intellects than they? They erred to be sure, on the greatest question, their relation to their maker. They both erred, much as I

respect Mr. Jefferson. They were men of great and powerful minds, and were as little likely to err, in historical facts, as any men. Yet they give you the distinctive features of this institution, that there is not a prescribed form of worship, that there is no external bond, no terms of communion, or confessions of faith, creeds, or any thing of the kind; but they are guided by the principle, the Christ, the light within, is to govern and control them. But sirs, let me not be understood, that they supposed this light would lead into error and infidelity; it is the guardian against infidelity, and no man can be an infidel, who maintains that opinion sincerely. The man who relies on his natural conscience, and follows the leadings of his corrupt passions, may be an infidel, but he who looking to Heaven, says, "My God, my Christ is the light in my conscience, my guide to duty, to faith and eternity," can never be an infidel.

This society proceeded to establish meetings for worship first, then meetings for discipline; small at first, but increasing, until 1681, on motion of a single one of those monthly meetings, they established this very yearly meeting, whose acts are now the subject of controversy. My learned associate has given the history of this yearly meeting, in a light that stands unimpeached, showing the errors which *others* have fallen into in relation to it; he has exhibited it, as it was, and as it is. It was the result of monthly meetings, that desired its establishment, and that without any conclusion by Rhode Island yearly meeting, and under no edict from London or England, but manifesting in this, one more testimony to this *light within*. It sought to bring in all those who felt with it, that they might sustain their testimonies together. This was its origin; it was first established at Burlington and then removed to Philadelphia. These monthly meetings are the beginning of all the discipline of this society, of the active discipline of this society. The others are but their creatures, made by them and depending upon them; they are the great executive instruments and bodies of this society, and sir, no discipline can be executed any where else. I have said, and you will see the importance of the declaration hereafter, that there was no dependence of this yearly meeting upon London; there was a connexion, and a unity of feeling among them, no matter whether in the islands of the ocean, or on the mountains of Scotland; there was a sympathy, but no dependence or control, between the quakers in England and the quakers in New Jersey, and it cannot be found that it was so. If there is such an instance, let it be exhibited; the evidence does not show it; if it had been to be found, it would have been brought here. Perhaps I may be told that this is not so, or that the history of the Keithian controversy is evidence of my error on this subject. It is important, to show the nature of this connexion, which has existed throughout this society, because we are told, upon the principle of this connexion, which our opponents say exists, our property *escheats*, and that it may be conveyed to England. Was there, in the Keithian controversy, any depend-

ence of this yearly meeting upon the London yearly meeting? There was no appeal. Was there the acceptance of an appeal? There was none. Or was there a decision made and sent back to the yearly meeting of Philadelphia, directing them what judgment they were to execute in that controversy? There was none. I appeal to all the records of the proceedings of that day, and all the pamphlets, to show that any of all these things existed in that matter.

Let me detain this court a few moments, in relation to the Keithian controversy; this is important in this question. Let us see what the Keithian controversy tells us, on that subject. George Keith was a man of great learning and power, and his first error was that he was not truly a quaker, by yielding his testimonies under the persecutions which existed in England. He sought refuge in the spirit of rebellion against them, and his Maker; but he was a learned man, and was with Barclay and Penn, and Penn calls him "the good George Keith." This was before he exhibited his temper. I shall show you when I come on the subject of doctrines what the dispute was; it had a direct reference to the question of dispute which caused the imprisonment of George Fox. We are not on new topics, we find them every where, and KEITH took the same ground then, as our ORTHODOX brethren do now, as can be shown from Keith himself and his opponents. But enough of this for the present.

George Keith became a controversialist in this society; he disputed respecting his religious doctrines; and in a controversy which arose respecting these religious doctrines, respecting the Christ without and the Christ within, and the blood shed without the gates of Jerusalem, he charged them with worshipping two Gods, and in consequence of his conversation, language, and the disturbance he made, they told him that he had manifested that the bond was broken, between him and them; they saw that he did not yield to the spirit and the light within. Well, he sat in their monthly meeting and disputed with them, and withdrew with a certain number, and undertook, as our orthodox friends have done, to disown the others, on account of their principles. They were under the necessity of dealing with him; but sirs, there is a most marked contrast, between the quakers of that day and the orthodox of this. When they had to act on Keith, they told him to bring with him such friends as he chose to hear their testimonies; they did not drive these friends from him, as was the case with those who met at Green street, in relation to Elias Hicks, but told him to bring them, and let them hear the grounds, on which they declared that the unity was broken. They had to disown him, but he did not appeal to the quarterly meeting: what did he do? He went to the yearly meeting at Burlington, and there demanded that he should be heard with his evidence. It is in those books and pamphlets which were then published and read here the other day. They insisted upon his taking his appeal to the quarterly meeting, but he went to the yearly meeting of Burlington; he denounced all those who differed from him, and

demanded that the yearly meeting should hear him discuss the question of dispute between him and his friends. And he there lays down the questions in dispute, and they are the same which Thomas Evans and others, have presented to our consideration now. They are the *Keithites* of the present day, and here is the record of it. The yearly meeting could not get along with this matter of Keith; he had broken the unity with them; they published a testimony on the subject. There is a remarkable fact connected with this matter. Several of the monthly meetings and quarterly meetings, disowned Keith and his party, and finally the yearly meeting of Maryland united in the testimony against him; it was the act of the monthly meetings; it became necessary that the society should speak in all its branches, therefore, these meetings came out and declared their disunity with him. And when he could not succeed at Burlington, he made "quick steps" to London. He wanted to get there, to lay his case before the quakers of England, in order that he might get the start in the race, and secure the feelings of the English quakers in his favor, in this controversy. Have you seen any imitation of George Keith on that point, in this case? Well, when he came to London he presented no appeal; let it be exhibited if he did. The yearly meeting says, that he importuned them to hear him; (I only give you the substance of it now,) they endeavored to put him off, but he would not be put off, and they were under the necessity of hearing him for peace and quiet's sake. He came before the yearly meeting of London, and there gave them the whole of this volume, and exhibited before them the religious principles about which they were disputing. But did they undertake after they heard him, to pronounce judgment on the question? If the yearly meeting of Burlington had been corrected by the yearly meeting of London, they would have given out an order and advice; they would have directed what was to be done in relation to that matter: but they published their opinion, that it might not appear to be the work of a party, as George Keith said it was. That is the history of George Keith's appeal to London, and if not correct, I am willing to be corrected. I can appeal to this book, letter and page, to show every fact I have referred to, and I shall turn to a portion of them in another part of this argument.

Now, sirs, was there an appeal to London? No, there was not. Was there any dependence manifested by this yearly meeting? No. Was there any order or advice by the yearly meeting of London, in order to tell Philadelphia yearly meeting what they ought to do? There is no evidence of any such dependence, and whatever may be the testimony of witnesses, I care not, for there can be no evidence or ground for any such connexion; there can be no such control. I have admitted that all quakers are bound together throughout the world, but I deny that any yearly meeting in the regulation of any of its concerns, depends upon another yearly meeting in another portion of the world. It would be a denial of all their principles; it is another evidence that

the whole of quakerism has been forgotten and spurned by our orthodox opponents. How can a quaker here be dependent upon a quaker in England? Are they not equal, and does not the spirit shine in the hearts of both, and direct them both? It is an absurdity in the man who talks about it in that way, and whoever pretends to exhibit that in evidence, the witness, however learned he may be, shows his ignorance of the first principles of the society, and he ought to have the "*spelling book*" of the society put into his hands. You will find a history of this matter of Keith, in Gough's History, 1st vol. from page 345 to 387; there you will find a more connected detail of it, than in any other place.

But, there is one other circumstance, in relation to this connexion and subordination, and it is only upon that, that this monstrous absurdity is to be sustained, and that is to be found in Story's Journal p. 245, which has been referred to. In 1736, (you will remark that this controversy was in 1694,) a question came up, as appears in Story's Journal, on an appeal brought from a meeting in Ireland; and Story there discusses the question whether appeals from the society in other parts of the world, were to be brought there. Now Story joined the society, and it is an important fact, that in 1690, he came to this country. He was here, and himself having a perfect knowledge of the Keithian controversy, he there in his journal proclaims, that there is no such thing as bringing an appeal to the yearly meeting of London, from other parts of the world. He says, that it is not the head of the church, that there is no head but Christ. He says the example of Rome was too well remembered by friends, for them to establish such authority in any assembly. Sirs, he was no prophet, but he was a well informed man. Friends never can establish such an authority until they break down the principles of their faith; they may forget their name, and may make an example like Rome, and may make a head to their church, but sirs, the name of quaker, is lost to them and by them.

I have said that they established meetings; it is not necessary for me to recur to dates, and show when they were established, but I desire to call the attention of the court to the different kinds of these meetings, that we may distinctly understand the dependence and connexion between them. Here is the great error of that great man, who pronounced his opinion in this part of the case: he erred in this principle, and I think if you will follow me throughout, I shall show his error clearly and conclusively, at least I hope to do it. The object of the organization of these different meetings, is explained by themselves in page 2 of the Discipline.

In speaking of the object they had in establishing these meetings, we have this language.

"For this important end, and as an exterior hedge of preservation to us, against the many temptations and dangers to which our situation

in this world exposes us, the following rules have been occasionally adopted by the society and now form our code of discipline. In the exercise whereof, it is to be observed, that, if any member be found in a conduct subversive of its order, or repugnant to the testimonies which we believe, we are intrusted with for the promotion of truth in the earth, it becomes our indispensable duty to treat with such, in meekness and brotherly compassion, without unnecessary delay, or improper exposure; according to the direction of our Lord to his church, 'if thy brother shall trespass against thee, go and tell him his fault between thee and him alone: if he shall hear thee, thou hast gained thy brother. But if he will not hear thee then take with thee one or two more, that in the mouth of two or three witnesses every word may be established. And if he shall neglect to hear them, tell it to the church, but if he neglect to hear the church, let him be unto thee as a heathen man and a publican.' "

These rules of discipline, apply to the meetings which I am about to consider. They are intended as an "exterior hedge" of preservation to them, against the world, and its many temptations, and that hedge is to be prepared, because, in page 1, it says, "As it hath pleased the Lord in these latter days, by his spirit and power to gather a people to himself; and releasing them from the impositions and teachings of men, to inspire them with degrees of the same universal love and good will by which the dispensation of the Gospel was ushered in, these have been engaged to meet together for the worship of God in spirit, according to the direction of the holy lawgiver; as also for the exercise of a tender care over each other, that all may be preserved in a unity of faith and practice, answerable to the description which He, the ever blessed Shepherd, gave of his flock, 'By this shall all men know that ye are my disciples, if ye have love one to another.' "

Now this was the object; and this discipline was to be confined to "conduct subversive of its order," and "repugnant to its testimonies." Meetings for worship, need not be particularly considered in the examination of these different meetings. They are held at times appointed by them, solely for the worship, in their mode, of the God of their Fathers. Meetings for discipline are also meetings for worship; they commence and end with worship, and hence they are meetings for worship, as well as meetings for business: they begin and end with inward waiting on the spirit, which is to guide all their councils. Nor, may it please your honors, is this suggestion answered and understood, as I apprehend by the chief justice, where he has made an allusion to this, that he who faithfully and cordially performs any ecclesiastical duty, does pay an act of adoration to the Almighty; this is in page 10 of his opinion. But he does not carry out correctly the quaker idea; and though I admit with him, that he who performs an act of ecclesiastical duty, if done in a proper temper, pays an act of adoration to the Almighty, yet is there nothing more intended in the opening and

closing of worship than that? I respectfully say that the chief justice did not understand the quaker doctrine—he did not look into the truth of that doctrine. The quaker means something more, than when *we* have meetings for settling the temporal concerns of the church; he goes for discipline, and his first and his last act, is an act not alone of adoration, such as the chief justice referred to, but an act of worship, in the highest and holiest sense. It is an inward looking, waiting, and entreating, for that light and guidance, which is to be his director and governor, in the transaction of all the business which shall come before him. It is intended as an act of the highest worship; it is done with a different spirit and temper from those acts to which the chief justice refers. I say there is something more meant within this discipline; meetings begin and end with this worship, but it is in another sense. It is not only in worship that the quaker looks to the light within, as his guide; he believes that in the transaction of the business connected with the society, with those of his friends who are gathered with him, he acts under the direct illumination and revelation of the spirit of truth: that is the quaker principle. He does not go to it, as to an ordinary matter of business; as he would to the ploughing of his fields, or to the making up of his fences, but looking to the spirit of truth as his guide in the transaction of the meeting business, both before and after, looking to the Almighty, and to his spirit, which is the beginning, which is the middle, and the end of his worship, and all his transactions connected with the church, of which he is a member.

Now perhaps, by a hundred of those who hear me, and it might be inferred from the argument of our adversaries, all this would be considered as a mere fancied sketch of the quaker faith. There is not a volume on this table, not one, that does not proclaim this truth; that this *spirit of truth* is their only reliance; that they can act correctly only when guided by this light, in all the decisions which they make. Right or wrong, fanciful or not, whimsical or not, and however the worldling may regard it, it is the quaker's chief, and only dependence. I thought it necessary to say so much in relation to the views taken by the chief justice. But it is an error perfectly common, and has been an error in this controversy from its very beginning. Other sects, do, I admit, perform many acts relating to the church, without worship: in their mode, I mean; they do not worship while they do it; but friends never, never do so. Their highest act of worship is the inward examination, the turning in silence to the light within, and that they always perform, as the beginning and end of the service in the church, and as I said before, it is indispensable from the nature and character of their faith and principles.

In relation to their meetings for discipline, I may remark, that the two sects meet in different rooms; the division between these rooms during the time of worship is open, so that what is said in one may be heard in both; that when a testimony is borne under the guidance of the spirit, all may profit by it. But when they go to business they

become separated, in order that each may administer the discipline, according to the light within them.

The smallest of these meetings is a preparative meeting; it consists sometimes of a few and sometimes of more, but of persons in the neighbourhood, who meet together to prepare business for the monthly meeting, preparing cases on which it is necessary that discipline should be exercised; and that is the distinction: They are to prepare such business as is interesting to the society, and about which it is necessary the society should judge, and if there be a wandering member, they endeavor to bring him back to his duty: the matter is prepared here and carried to the monthly meeting for its decision and discipline: it is purely a preparative meeting. But here is a great distinction, which is one of controlling consequence in this case, in regard to property; it is, that it never prepares *business connected with property*, for the monthly meeting to act upon. If the preparative meeting has a school-house or a meeting-house, or a piece of property, about the management of which, they have any difficulty, and want advice, they ask the monthly meeting for counsel; but they ask it as *counsel and advice*. They may *advise* with them, but they never prepare any matter connected with their own individual property, for the judgment of the monthly meeting. Is not this a great and controlling matter, and is it not so according to the evidence and discipline? And if this be so, can it be that the monthly meeting has any right to govern, in relation to this property? There is no subordination in this matter. The preparative meeting holds its property as sacred as any property can be held, and *never prepares matter in relation to property for the monthly meeting*. Well, if that be so, does it not show, that from the nature of the subordination and connexion, which exists, there is no resulting power to the superior meeting, to control the property of another meeting against its will. I am now testing, not only the argument of the adverse counsel, but also the opinion of that great man. He alluded to the *connexion between these meetings, as having control of the property*. He is in error; there is no such connexion, and the preparative meeting never goes to the monthly meeting for advice, any more than an individual goes to another member of the community, to get advice. Whenever they *want* advice, they *ask* the monthly meeting for that advice, but until it is asked, the monthly meeting has no right to give it; it is without the discipline, whenever it attempts to do it.

These preparative meetings, sirs, embrace a single one, and sometimes more meetings for worship. For instance, this Chesterfield preparative meeting, once embraced Chesterfield meeting for worship, Crosswicks, Bordentown, and Trenton; and the members of these different meetings for worship, resorted there, in order to prepare all matters for the monthly meeting. *But, in relation to property, these preparative meetings are entirely independent*. If the preparative meeting has a school-house, or a grave-yard, is it necessary to ask the

monthly meeting what it is to do with that property? Show me, if it is so; I cannot find it any where. Well, although they do thus finally decide, in relation to matters of their property, although their decision is final in this case, yet with regard to *discipline*, their decision is never final; it must go to the monthly meeting.

Now, sirs, is there not a strong distinction between matters of *discipline*, and matters of *property?* Although there may be a connexion, and subordination, in matters of *discipline*, there is not of *property*. There is where the opinion of the chief justice failed to rest, where it ought to have rested. In regard to discipline, what is done in inferior meeting must be carried to superior meetings; but not so with property. That which is done in a preparative meeting in relation to property, is *final*, and there is the error, and here is where the chief justice erred. It was in this way that he argued; and this position he had not proved, but only inferred. And I complain, that this *subordination in relation to property, has not been proved.* I am not willing that the rights of my clients, shall depend on an assumed fact, and because they find a subordination in regard to *another matter*, they infer that the same subordination exists, in relation to this. I want proof upon this point. Here is the discipline, tell me where it is to be found. It is not within the covers of this book, neither is it to be found in the usage and practice of this society. *Usage* and *practice* are as little applicable to this, as the express words of discipline themselves. Well, sirs, this is the first link in this chain of subordination and connexion; and if you have not welded there, the chain by which we are to be bound to the car of the Philadelphia yearly meeting, you cannot drive us on; you must make the chain strong and weld it well, before it can be done. The first step in the progress of this argument, is a step falsely taken.

Now permit me to apply this idea. This property belongs to the preparative meeting of Chesterfield; not the monthly meeting of Chesterfield, or the quarterly meeting of Burlington, or the yearly meeting of Philadelphia; but to this preparative meeting; it was made by themselves and for themselves, with specific objects. It is all ours, and hence I infer that there can be no trust, no connexion, no kind of escheat, to carry this property finally to Philadelphia, and out of the control of the courts of this state. And, if these precious orthodox people at Philadelphia, should happen, as may be the case, to fall under the ill will of their brethren in England, then this property is to be carried to London. We must carry this principle out; it is false at the very commencement of this system; and have I not proved it to be so?

The next meeting, sirs, is the monthly meeting, and to the character of that meeting, I desire the earnest attention of the court, because I do believe, there has been no small portion of error, connected with the understanding of the character of this meeting. It embraces all the friends belonging to the several preparative meetings, and several meetings for worship. It embraces three or four preparative meetings,

and perhaps eight or ten meetings for worship. But how does it embrace these preparative meetings? That is the inquiry. Do they embrace them as preparative meetings, or do they embrace the members of these preparative meetings, as *original members of the monthly meetings*, having an original and independent character as members of the monthly meeting? Every man within the limit of the monthly meeting, is in his independent capacity; he does not act as representing a preparative meeting or a meeting for worship, but in his original naked character as a quaker, connected with the society as a member of the monthly meeting, and not as a member of any other meeting. When he gives a *vote*, (I beg pardon, I must not use that word,) but when deciding on any question, how does he decide? In what character does he act? Because he belongs to a meeting for worship, or a preparative meeting? No, sirs, but because he is a member of the monthly meeting in his original capacity, and without reference to the meeting of which he is a member in other respects. Not as a member of an inferior meeting, but as an original member of the monthly meeting, having rights as such—as a member of the monthly meeting alone, and not as a representative; they are not a representative body. That is the idea. There is nothing of a representative character about it. And when the preparative meeting has prepared matter for the action of the monthly meeting, one of the members will carry a minute to the monthly meeting, to enable it to see what is prepared for its action; and then after he is there, he ceases to have connexion with the preparative meeting, and becomes a member of the monthly meeting, and acts on the very matter of which he has brought a minute; not as a member of the preparative meeting, but as a member of the monthly meeting. His representative power is at an end.

Sirs, the idea of democracy in relation to this matter has been scouted. I care not for terms. I have seen the day when I was as proud of the name of democrat, as I could be of any thing; but I have been taught, that patriotism does not consist in a name. What is democracy? It is this, that when we are standing on the platform, we have equal rights; and when we act standing on that platform, we should all act with the same power, and the same control, over the movements of the great body politic. May we not without rebuke, apply this term to the society of friends? Where is the man in that society, that stands one inch above his neighbor, in relation to his rights? Sirs, he is not to be found. Where is the distinction between members of this society? There is no distinction there, sirs, though there may be a distinction, a great and splendid distinction, between individuals who stand there, as there may be in the means by which that distinction is acquired, or in the powers of mind, and influence they may have over the actions of the body. There may be this glorious distinction there, but it is a distinction not made by man, or by themselves; it is a distinction which must be made by the

spirit of truth. Whenever that spirit shall act most powerfully on an individual, and enable him to carry out before the meeting, the language, sentiments, and principles of truth, to give the best advice and counsel, and whenever this should, through the mouth of one of these, give forth this testimony, he becomes distinguished, and is the mouth-piece of the spirit, to direct the meeting, and they come to unite in the same spirit, and are governed by that in their conclusions. The distinction is not in the aged, or middle-aged; there are instances of a most extraordinary kind, where boys of the age of fifteen, and twenty, under the influence of the spirit, have governed whole meetings by the expression of their opinion. But it was not theirs, it was the spirit, which makes the only distinction that exists, between members of the monthly meetings of the society of friends. There is here no distinction occurring from mere name, but when friends meet in a monthly meeting, and there is a man in his original character, who gives a sentiment, according to the light within him he has influence or not. According to the fundamental principle of this institution, this idea is correct.

This is an important question. It is important that we should know how far the sneers, which have been cast upon the principle of this being a democratic assembly, are justly cast upon it. When that word was used in this answer to the bill, there was no reference made to the petty politics of the day. It was a word which could alone convey, as far as government was concerned, the idea. They were equal; there was no distinction made by them, and if it existed at all, it was made by the spirit of truth alone; and that is the reason why my clients made use of it in this answer. It is a good word. Let friends go to meeting when they will, and sit down, under the influence of this spirit, they are all equal, and they thus come to the unity, in relation to all matters of business. Sirs, the members, when they come to a monthly meeting, have high power. This monthly meeting is the great executive body of the whole society. A preparative meeting can do nothing in the way of discipline, except to prepare business for the monthly meeting; the quarterly meeting can do nothing in the way of discipline, except in cases of appeal; and then the case comes from the monthly meeting and is closed there; it cannot take original cognizance of any matter of discipline. If it can, what is it? Well, how with the yearly meeting? It cannot do any thing in relation to discipline; the original action must be in the monthly meeting; the yearly meeting cannot reach the matter until it goes up regularly; but in monthly meetings are all the powers of discipline. If a member has acted incorrectly, the overseers, when they find him erring, and that he is likely to let fall the testimonies of the society, are to converse and treat with him, in kindness and brotherly affection, to bring him back to the true path, to make him look to the light with confidence to guide him. If they succeed, there is an end of the matter. This is the duty of this kind institution of overseers. The erring brother is brought back, the bond

of union is restored and exists. But in relation to that matter, or any other, in which the overseers think that discipline should be exercised, it must be brought to the monthly meeting. Whatever may be the matter of discipline, the power is to be exercised there, and there only. You will find in this case, this fact: that monthly meetings are the only executives in this body and here is exhibited the great and perfect system of democracy, in which all stand upon equal ground.

SEVENTH-DAY MORNING, 10th: 9 o'clock.

I was endeavoring to exhibit to this honorable court, the true character of monthly meetings, in the society of friends. I was endeavoring to satisfy you, that these monthly meetings were purely original, and not representative bodies; denying altogether that there was any individual in the assembly of a monthly meeting, that represented any meeting or interest, other than the original interest of individual members of that body. I trust, I satisfied the court of that fact; and in the process of my argument it will be found, that this is an important consideration.

I have also suggested to the court, that it is a pure democracy; that it was one of those assemblies, where every individual stood upon the same platform as to his rights; that there was a perfect equality; and permit me, sirs, now to add, that of all societies that ever existed in the history of the world, monthly meetings in the society of friends, are the most purely democratic and equal, so far as relates to the rights of members. So far as I have read into the history of mankind, and the political, civil, and ecclesiastical institutions of the world, I know of none in which this pure principle of equality, is exhibited so clearly and so fully. If there be any, it has escaped my observation. There is there, no human distinction; the only distinction which can exist, is that which is not made by themselves, but by the author of their being, by the light within, by that spirit which they profess to look to as their guide and Saviour. If there has been a distinction there, it is not a human distinction, but is made by the God they worship. And in all the conclusions to which they come, and in the decisions they make, when they speak of the "*weight*," and "*solid sense*," and use any other phraseology, they mean neither more nor less, than the simple single idea, that with regard to some one or more in that assembly, that the spirit of truth has enlightened, they have expressed to others the light which they have received, and it carries conviction to all that hear it, and produces unity of sentiment and feeling in the decision. If I understand the quaker principle, this is the sum and substance of it.

And although there is here that respect which is due to age, although the aged man, when he expresses an opinion, will be treated with profound respect, yet unless that aged man be the avenue, through which

this light is communicated, unless his heart be the place where that light shines, he does not, and he will not, and cannot, have any greater influence than the youth of twenty. The history of the society shows that it is so, and that it was more so, in the early portion of this society, than now. Whether it was that they then more confidently, more surely, and more faithfully, relied upon the light within, I will not say; but in the early history of this society, there are many instances in which a whole decision has been governed through the light from the lips of lads of sixteen and nineteen years of age. I think, sirs, that it was at the age of eighteen or nineteen, that James Parnell sounded the trumpet of the Lord, (to adopt the expression in use, in that day,) and became a distinguished preacher in that society, producing powerful conviction, in the minds of many who heard him, being the instrument of the spirit of truth. He was incarcerated in prison, and lay in a dungeon. He expired in a dungeon. This young man possessed learning, talents, and piety. And there is here a remarkable circumstance, which gives interest to his history, and his character. While in the dungeon, Stephen Crisp, part of whose works you have heard read as a guide to the faith of the society, a learned and talented man, visited Parnell, for the purpose of controversy, to convince him of his error. He issued from the prison, a converted man, to the same principle which brought Parnell to that prison, and became a public preacher of the life of righteousness. And who was Parnell? A man of sixty or seventy? No, sirs, a youth of nineteen. When the spirit of truth descends to guide and to direct, it does not look to the wisdom of the world, or to age; it has other instruments. In the early history of the society there are many instances, where youths of twenty-four, have been public ministers of the gospel, and have been great and powerful in their preachings.

I return, therefore, to my position, and say that in this great, scouted democracy, there is no distinction, save that which is drawn by the spirit of truth itself. Whatever may be the course taken upon this subject, and whatever views may be held in this day, in relation to what is called the *weight of opinion*, and *solid sense* of the meeting, and whatever may be the aspect which Samuel Bettle may give to this matter, I believe I have given to the court, a faithful exhibition of the original quaker views and practices on that subject.

I remarked, sirs, in relation to what is called a monthly meeting, that it was the great executive body, and illustrated it by the fact that all discipline matters of every description, have their adjudication there, as no question of *discipline*, (I beg your honors to understand me as speaking of *discipline* exclusively,) can originally have its commencement elsewhere than in a monthly meeting; and if it be carried by appeal, the decision which may be made by the quarterly meeting, aye, sirs, and by the yearly meeting, can have no force or power, until it has been returned to the monthly meeting, and it has concurred in it. It is this which gives to it all its power and force. The month-

ly meeting may and does agree to the decision of the yearly meeting, but let the yearly meeting carry it back without the consent of the monthly meeting; it has no authority to do so. If it does not send back the decision regularly, it has not even the power of persuasion, of ordinary persuasion. But if they return it in the order of society, the meeting will consider it, and if they concur in it, it is their concurrence which gives it its validity, and it has no validity until that concurrence is made. Suppose the monthly meeting does not agree to the decision of the yearly meeting, is that decision established? Not so. If the yearly meeting pronounces judgment, and the monthly meeting does not concur in it, the yearly meeting cannot enforce this judgment. The course is, that the yearly meeting is not to act on the question of discipline, but it is to call the monthly meeting to an account. It must be made to yield, and until it is brought to the unity, the decision of the yearly meeting is of no validity. Suppose the monthly meeting of Chesterfield had dealt with Stacy Decow, and had pronounced its decision against him, (if there was no appeal, that decision would be final,) and it was carried to the quarterly, and then to the yearly meeting, and it pronounces its decision, that the opinion of the monthly meeting was incorrect; is Decow or the monthly meeting affected by it? Suppose the yearly meeting sends back its decision through the quarterly meeting, to the monthly meeting, and the monthly meeting says, we will not receive him; can the yearly meeting compel the restoration of Stacy Decow? The only mode by which it can be done, is by calling the monthly meeting itself, to an account. The case of discipline is ended: they must then act on the monthly meeting in the order and discipline of society, and there is no other mode in which it can be done.

I make these remarks, because it will be found, that the orthodox party, against whose acts I am contending, have violated this principle again and again. In the course of the proceedings of this society, according to the fundamental principle, so far as the monthly meeting is concerned, that body is the only one, which can treat with and punish members of the society, and through this meeting every act must gain its force, power, and validity. If the monthly meeting does not yield to the decision of the yearly meeting, it may be called to an account; but the mode is pointed out, and I shall examine it hereafter. There is a mode, by which the monthly meeting may be dealt with.

Now this monthly meeting, in the exercise of the disciplinary power, may take any member in judgment, whether it has been presented to it by the quarterly or yearly meeting or not; and thus it has its own original jurisdiction in relation to this matter. I will refer the court to a few passages in the discipline, in order to see, that this is the great and effective meeting in all matters of discipline in this institution. In page 59, you will observe that they disown those who are negligent in attending to worship, and all those who do not act according to the testimonies which they require. By looking to page 41, of this Disci-

pline, you will find that this body gives permission to go to law, and disown those who refuse to submit to an arbitration. In page 14, you will find, that this body superintends and gives certificates, to travelling friends, and those removing from one part to another. In page 5 and 6, you will find that this meeting is to attend to the necessitous, and to those who want brotherly care extended towards them; and if you look to page 25, you will find, that this is the only body, that can admit new members into the society. If a person, "*upon convincement,*" desires to be united to this society, does he go to the yearly, or quarterly, or preparative meeting in order to obtain admission? No sirs, he goes to the monthly meeting, and that meeting either admits or rejects him, and there lies the power of keeping the society limited or increasing it, and from the very fact that it does do this it is manifestly the great controlling body. I speak of its original jurisdiction; it is the great executive body of the society. They disown and admit members; the monthly meeting is the only avenue by which individuals can get into this society. They take care of all ordinary transactions; I mean such as records of births, deaths, funerals, and marriages, and all regulations of that kind. All elders and ministers are acknowledged by the monthly meeting. We have heard a great deal eloquently said, about these travelling ministers proclaiming their views of the gospel over the country. Where do they get their permission? Not their *authority*, for that comes from the light itself? They get it from the monthly meeting. Suppose an individual desires to be at liberty to utter testimonies in public; it lies with the monthly meeting, to say whether he is or is not qualified; they act in relation to it, and if this meeting decides that he is not the proper person to bear public testimony, there is no remedy; it is final. This body, only, can say out of whose mouths the gospel shall be preached. If they will not permit any to be ministers of the gospel, they can appeal no where else. And, sirs, this is a high and controlling body, and it is so, because it is the great equal body, where all stand on the same platform. And the overseers, which are an important portion of this society, are appointed by the monthly meeting. In page 89, you will see that it is this body which is to exhibit to the world, the true state and condition of the society. When I say that, what do I mean? That they are to issue before the world, a declaration of what the condition of the society is? Not so; the yearly meeting does that, and why does it do it? Because it is a combination of the whole body of the society. But how does it make this declaration to the world? It takes up the answers of the monthly meeting, which declare the condition of friends in the limits of this meeting, so that the declaration itself, though made through the yearly meeting, is dictated by the answers from the different monthly meetings. It does not act on cases of discipline, it does not say who shall be ministers, or who shall be elders; monthly meetings alone have the power to acknowledge them, or disown them, and they alone can proclaim to the world, what the

true condition of the gospel is among them, because the yearly meeting dare not and must not say what is not in the answers from the monthly meetings.

I speak of the importance of these monthly meetings, because their authority was spurned and discarded by the opposite party, and I desire to place them where they ought to stand, and in that character in which they ought to appear before this court, that I may show that the orthodox yearly meeting made a direct violation of the principles of the whole institution, with which it was connected. This monthly meeting, sirs, is always embraced within the quarterly meeting, and this quarterly meeting is a larger body, and it sends no representatives to represent it—I wish to draw a distinction—they send a committee with specific directions, what they are to do at the quarterly meeting —for the purpose of giving to that meeting, any information that may be required relative to the monthly meeting by which it was sent; but it has no power in the quarterly meeting. This committee has power to lay before the meeting, such cases and such information as it is directed to, but it does not represent the monthly meeting in such way as to say, "our monthly meeting thinks so and so, and such should be your decision." No sirs, that committee is no representative body, but is a mere agent for the purpose of carrying up matters, which it is advised about, and which it is important the quarterly meeting should be informed of. But no man of that monthly meeting can say, "I represent my monthly meeting and wish to have such and such a decision." Let there be a case in Burlington quarterly meeting, and will a member of Chesterfield monthly meeting say, that Chesterfield meeting thinks so and so? No sirs, it is *democracy* again, *scouted democracy* again, and he has no more power, and dare not say that he represents any body but himself. I know that these ideas are in direct conflict, with those taken by those ministers and elders, and other individuals in Philadelphia; but I ask the court to look at the references made to this book of Discipline, and see if they have not perverted its spirit.

I will refer the court to Clarkson's Portraiture of Quakerism, where he speaks of the character of this meeting, as drawn from the records and history of this society. He makes this extraordinary remark, about the monthly, quarterly, or yearly meeting, it is a matter of no importance which. It will show you, that every man stands on his ground, when in these meetings.

"All members present are allowed to speak. The poorest man in the meeting house, is entitled to deliver his sentiments on any point. No person may interrupt him while he speaks."

And there is reason in this. Most of those principles of human rights and liberty, which are so much the boast of the present day, and which we want to see carried forward throughout the world, are

owing more to quakerism than any thing else. It is not the boasted liberty of Greece and Rome, but that which we, in this country, *feel* and *enjoy*. And in all the convulsions in Europe, in all the contentions for equal rights, it has been the great object to achieve that liberty, which had its origin in the principles of quakers. Spurned quakerism may be looked upon as error, but if it can only be carried forward in its original purity, if there be not a millenium of christian glory and happiness, there will be a millenium of human liberty.

Sirs, the next meeting to which I shall call your attention, is the quarterly meeting. This quarterly meeting consists of several monthly meetings, and embraces them, not in a meeting capacity, but as original members, standing on their original rights as quakers. This is the true principle of the quarterly meeting. All the members that sit in this meeting, are but a more extensive collection of the society; but the character and principle are not changed; they all sit as members in their original capacity as members of the society, and not as representatives of other persons or meetings. Their mode of communication is the only thing which can create a doubt on this subject, the only thing which can create a question as to the view I have taken. The communication is through the committee which I have spoken of, but this is a mere committee which has duties to perform, and has nothing more than the character of a committee, but stands in its original capacity. This meeting hears appeals, but that is for the relief of individuals, and when a decision is made, it is of no validity, until the monthly meeting concurs in it. They cannot force a member back, but they must wait till they can bring the meeting to concur with it; and not before can the member be restored. The object of the collection of this large meeting, is not to create a superior power over the monthly meeting; and that is the error which the chief justice has fallen into. It is not to create a superior power; they have no such control; but merely to create a large body of friends, that a question of difficulty may be submitted to a larger body, that there may be a greater unity of the whole body in relation to the decision. I know there are those who would establish such power, but it is not known in this society. The purpose is to gather a more general sense of the whole body. It has another object; it is, in order that the unity of the body may not be broken, and by embracing a larger number and getting its decision, so to lead on to a final unity of the whole, which is the great ultimate object of all they do and say.

And the object of the yearly meeting is not to establish power over inferior meetings, but to get the sense of all the meetings, to let it go down to the inferior meetings, and say, "we think this is the true decision and solid sense of the great body, and to that sense you ought to condescend, in the same spirit as produced that decision." And what is the meaning of the term *condescension?* Here is an inferior part *condescending* to a superior meeting. Talk to me of *condescension* when one power *forces* another? It is folly. I ask, if in any

other human institution, where there is to be a decision executed, whether he upon whom it is to be executed, is to *condescend?* Are quakers fools? Did they mean that it was the power of the greater part, that was to force them down against their judgment and conscience? Are they so ignorant that they do not understand the terms they use? And yet the orthodox, when they tell you of the *condescension* of one part to a greater part, give in the *word they use* an explanation of what they endeavor to conceal. There is no such thing as power here, I mean so far as one body is concerned in relation to another; but there is a power, one pervading, sweeping power, which in its influence, goes over the whole body, and without which there is no quakerism. I find then, sirs, in this view, in the very term which the orthodox witnesses themselves use, a denial of the position which they take, that a monthly meeting, when a decision of the yearly meeting is sent down to it, and it does not choose to yield to it, is obliged to submit as a matter of power. Then quakerism is at an end; it is presbyterianism and episcopacy, when a higher power can force an inferior power in government. It is so: and if it be so in quakerism, let me know, when they shall have the impudence to proclaim to the world, that they have principles different from other societies. They have always told the world, that they do not act upon the principles of other societies; do they lie? Have they been telling falsehoods to the world, and what is utterly untrue? No, sirs, they were sincere men, and when they said it was the influence of advice, they said the truth. I ask for the distinction. Where is it? Why, sirs, there is none upon their ground, and I believe, that when that creed issued from Philadelphia, which stood in direct violation of the principles of this society, they put their feet on the steps of the steeple-house, and asked for admission there, and if they carry it through, they will be members of the steeple-house, embraced in its brotherhood, and not that of quakerism.

The object of the quarterly meeting, is to embrace all the members of the monthly meeting, so as to be a more general meeting, and through them as a larger portion of the society, to convey to the yearly meeting the wants and wishes of the society at large; there is no other power in it. For this purpose, sirs, they nominate representatives, and here we hear the first of that name, and it is an important name. They are to carry the wishes of their meeting up to the yearly meeting, and when they come there, they have two duties annually to perform, and what are they? Because in the very nature of these duties we shall find what is the character of these quarterly meetings, and the yearly meeting. In the first place they have to present to the yearly meeting, they are to be the avenues, through which are to be carried, the reports from all portions of the society, to the yearly meeting. And what more have they to do? Are they to conduct these reports through the meeting, and to become the advocates of these reports, and act as agents of the quarterly meetings from which they

come? Did any man ever see in that yearly meeting, (I was never there myself, I have wished I had been often,) a representative becoming the advocate of a report, on the ground of his being a representative of the meeting from which the report came? If so, it is not in this little book. We may talk of *usage and practice*, may get there this strong arm of power to press down others, but it is not in this book of Discipline. Is it usage, is it usage? If it is, why have we not been told so by Samuel Bettle, and Parsons, and Paul, and *Samuel Craft*, who is a knowing man upon this subject. It never existed. All that they have to do is to present the report, and then they stand on an equal with others, waiting on the spirit with others, to enable them to come to a decision; not as partizans of the meeting, but as those humbly waiting on the spirit of truth, to follow its guidings, in coming to their conclusions. There is no partizanship there. Our monthly and our quarterly meetings may have their agents, to act in the capacity which I mentioned, but to go no further. Quakerism repudiates, disowns, and denies every thing like it.

Well, sirs, these representatives have nothing to do but to present these reports; this is necessary, and where a quarter embraces all within their limits, it is much easier for the yearly meeting to obtain a knowledge of the state of the whole society, through these quarters. When they come there, and present the report, it is to give to the whole body, a view of the whole state and condition of the different parts of the body, and nothing more. And after they have done that, there is another duty, and it is important this should be understood. It is to nominate a clerk; and although I intended to have considered this matter elsewhere, I may as well, as I have been looking at these representatives, consider now, what is the meaning of all this matter; and I beg the attention of the court, to understand, why the representatives act in relation to the clerk, and the principle of that nomination, to put down the pretences of the other party, in relation to the clerk of the yearly meeting. I shall not now consider the facts, but the principle. How is the clerk selected? This body of representatives, which is composed of a number from each quarterly meeting, is to nominate to the yearly meeting, a clerk, and the meeting is to decide on that nomination, whether they will have that clerk or not. This is directed in the Discipline, p. 37.

"A committee is to be annually appointed in each of our quarterly and monthly meetings, for the nomination of clerks; which may afford opportunity for their being seasonably changed, and more of our qualified members exercised in those services."

Now, sirs, in this little sentence, if I comprehend it, there are very weighty matters; in the first place, there is a direction that all the meetings should appoint a committee for the nomination of clerks; it is a *nomination* only, and not a final agreement. That committee is to choose according to the best of their ability. What object have they in view? To nominate clerks; "so as to afford an opportunity for their

being seasonably changed, and more of their qualified members exercised in those services." I believe, sirs, they forgot that, when they kept Samuel Bettle twenty years in his office; and I suppose he thought to himself, "it is their right, and not my place to quarrel about it." The object is, to nominate an individual, who will best serve the meeting. Well, now, sirs, you observe that the representatives have to nominate a clerk for the yearly meeting: and what is this body of representatives, but a simple committee of the yearly meeting, for the same purpose as a committee of a lower meeting; so far as a clerk is concerned, they perform their duty in the same way. The inquiry may be, why should these representatives be a committee? In a monthly meeting is the collection of a single neighborhood, knowing what all the wants of the little body are, when they come to the quarterly meeting, they appoint a committee from the whole circle of the quarter, that the wishes of all may be considered. When they come to the yearly meeting, they want a committee of the like kind, selected from throughout the whole yearly meeting, so that we see how are to be appointed the clerk and the assistant. We see the necessity of this rule: we know very well, that there are those in and about Philadelphia who can make clerks for us; but the object is, to have the extreme ends of the yearly meeting represented as they ought to be in this matter, in order that all parties may have their views considered. This representation from the quarters, is just as the committee of a lower meeting; it is the same as if the yearly meeting appointed its committee, for the purpose of nominating clerks, and appointed it from all the points of the yearly meeting; but the yearly meeting, itself, does not appoint them. Why not? Because the number attending the yearly meeting would not be so fairly represented, if they appointed the committee in the body itself; they therefore take those men whom the quarters have relied on, to carry up the reports; by that means giving to each quarter, a representation in that committtee, which is to select that office. This is the common sense and principle of the thing. Therefore they have two duties to perform, and then sink to a level with the others in the meeting.

These representatives then, are a committee for the nomination of a clerk; with regard to that nomination they have the same power, as a committee of an inferior meeting, and after that is done, *they* act on the nomination of the committee just as other members do. For instance; I am a member of the representative committee, and when I come into meeting, I do not decide on a question as a *representaive*, but as a *member of the meeting in my original character.* My representative character is lost, when I have performed my duty; and this meeting is to consider whether that nomination be a good one or not, under the guidance of the spirit of truth.

This quarterly meeting has no original cognizance in a matter of discipline. There is one act, which they have to perform, and which they have to do in their character as a quarterly meeting; it

is different from the manner in which they act in relation to appeals: it is to give certificates to ministers travelling out of the yearly meeting. If a minister travels abroad, or across the Atlantic, then they require, in order that there may be more confidence in the character of the individual, that the quarterly meeting, itself should give him a certifi cate. That they do as an original act; but the monthly meeting can give him a certificate, and the quarter confirm it.

For instance, Elias Hicks, when he to went Philadelphia and Baltimore yearly meetings, took with him a certificate of his monthly and quarterly meeting, embracing the unity of the whole quarter in the certificate which he had, and by which he received permission to travel and to preach.

The next meeting is the yearly meeting, that consists of all the members of all the other meetings. It has been said that it consists of the quarterly meetings; it consists of the members of all the quarterly meetings, but not of the quarterly meetings themselves. They are only represented in the manner I mentioned. The yearly meeting, when it is said to represent all the other meetings, embraces the members of the other meetings. You will find a reference to this matter in p. 3, of the Discipline. And in p. 5, you will see what is said in relation to appeals, and the manner in which they are received. And you will perceive the manner in which these appeals are to reach this yearly meeting, on the application of the dissatisfied individual himself. If the monthly meeting makes a decision in favor of an individual, there is no appeal; but if the individual is dissatisfied there, he makes an appeal. And what is the nature of that appeal? My monthly meeting has determined against me, and I will look to a large collection of friends, and see if they think this bond is broken. The first body to which he appeals is the quarterly meeting. If they think the bond is broken, he looks to a still higher body, which is the yearly meeting; and if this great body says the bond is not broken, the inferior body will condescend in the decision; it will say, we have made an error. So it is determined. You see how these matters are regulated. In that way these appeals go up to the higher body, as a matter of love, and friendship, and affection; and not as matters of obligation, force, and strife. This meeting receives appeals on the application of the individuals aggrieved.

And in page 8 or 9, you will perceive they receive answers to the queries. I shall call your attention after a while to the nature of these queries. First, I will ask what are these queries? Are they to exercise any disciplinary power? No sirs, no sirs. They are not to do that. I speak thus strongly, I beg the court to recollect, from the extent of information I possess in this matter. It has frequently occurred to me, that probably, I have used language too positive, not having been born among this society; nor have I known any of their discipline or peculiarities, except as I saw them like the rest of the world, until concerned in this cause; but the court will only understand me

thus far—I speak with confidence, because I believe with confidence. I say, then, that these queries are not intended as the foundation of disciplinary proceedings. And there is not one of them, on the answer to which, disciplinary proceedings can be founded. Am I wrong? What one is it? On which one of all them, is it? Show me. No, sirs, it cannot be done. All that they can do in relation to discipline, is upon the representations from the quarters, or the appeals of individuals. I am the more earnest, because my learned and eloquent friend, I thought, drew an argument from these queries, totally unfounded in principle; and in that kind of way too, in which he always does, carrying along, for the moment, even my own feelings with him; and I inquired within myself, "Is this so?" And I wish to remove any impression, and draw the court from the misleadings of the eloquence, which was displayed before them, and would lead into error. I believe differently, and I can find not the least ground for believing, that these queries exercise a disciplinary power.

Well, it will be inquired, what is the object of these queries? It is to present to the whole body, (and this great body meets for that very purpose,) what is its state and condition throughout, in its different branches. How are they to get this information? Not from individual members—not by asking this man, or that man, what is the situation of his neighborhood. But it has prescribed certain queries, to be answered by responsible portions of society. And the way of communication is plain; they send these down by the quarterly meetings. The quarters cannot answer them, because the yearly meeting being embraced by an extensive survey of country, they cannot do it there. They cannot tell what the situation of the whole society is; it is drawn by representation; the inferior meetings are to answer them. Let us look into them, and see what they are. For instance, one is, "are friends careful to discourage the unnecessary distillation or use of spirituous liquors, &c."

Now, sirs, how could the quarterly meeting answer that. It would not do for one individual to say what was the condition of his neighborhood, and another of his; and the quarterly meeting could not say in what state its members were, unless it was brought up regularly from the smaller meetings, where the condition of the members is known to the meeting. Burlington quarterly meeting cannot judge of Chesterfield monthly meeting. Thus you see, that these queries are brought up regularly from the inferior meetings. And these queries have one uniform object in view: that the whole body may be able to look into the state of separate parts, to aid those parts that are feeble; that they may hold up the testimonies which they are about to let fall, and by their encouragement, and communion with them, make them strong, that they may not lay them down.

In this yearly meeting there are four queries to be answered by ministers and elders, for the same object and with the same views as the others. This yearly meeting answers and sends epistles to other

friends, or other yearly meetings. But, sirs, do they acknowledge inferiority to them? Here is a question of subordination which I wish to break down, as it has no real existence. When, for instance, this yearly meeting sends an epistle to Baltimore yearly meeting, does it acknowledge any subordination to that meeting? Why no. They send heart to heart, man to man, equal to equal. It is as the epistle of a brother opening his feelings, and sending it as a mark of affectionate regard to his *brother*, and not to his *master*. It is not an inferior, sending his epistle acknowledging the other as his master. It is not a slave or servant to his master. No, sirs, it is *man to man!* Well, when an epistle is sent to London, what does it mean? We have heard a great deal about this subordination to London, and also, about the principle of *escheat*, in which the connexion is traced up to London. But what is this connexion? It is the connexion of epistolary correspondence. And if, in looking back, you can find among the epistles from Philadelphia to London, one that acknowledges any thing like an inferiority, while I will scorn the people that wrote it, I will yield the cause of my clients. But, sirs, this is not so; these epistles are declarations of the entire equality of this great body. There is no head or master; there is an equality.

I think there are twenty-six thousand human beings represented in Philadelphia yearly meeting, nineteen thousand in New-York yearly meeting, and ten thousand in Baltimore yearly meeting, holding epistolary correspondence as yearly meetings. But these claim no superiority; these speak of their feelings as brothers, and a perfect equality and good feeling is sustained among them. If a correspondence between the yearly meetings of Philadelphia and London, is an acknowledgment of inferiority on the part of the former, then an epistle to Virginia yearly meeting, containing not more than a thousand members, must be an acknowledgment of inferiority to a thousand people there, because it is the same in its results, as an epistle to London; the connexion is the same precisely, and there is no other. And I challenge the production of such an acknowledgment, or of a word, or an idea suggested in any one of all those communications, that acknowledges such subordination, control, or connexion, or of any thing at all that can bespeak a superiority on the part of London. They are equal sirs; and *equality* is the corner stone and foundation upon which this connexion rests.

This yearly meeting of ours, sirs, we shall investigate; and this is far the most painful part of my duty. This was established too soon after the establishment of the yearly meeting in England, and under circumstances of such kind as to prevent even the *possibility*, not the *probability* of the establishment here being the dictate of that meeting, or being in any way dependent upon that meeting. This meeting was established in the year 1681. It was established by *monthly meetings*, and not by quarterly meetings. It was first held at Burlington, and it was held so until 1685. It was then held alternately at Philadelphia

and Burlington, until 1760, when, nearly eighty years after its establishment, it ceased to be held alternately. A very unimportant matter, you may think, but it is not so unimportant. They held their meetings in Philadelphia one year and in Burlington the next. A portion of the society desired always to hold it in one or the other of the two places. They made an effort in 1683, and it was rejected. It was renewed in 1684 and 1685, and was agreed to. But how? I refer to the testimony of the witness in this cause, (I have not the page,) which shows that in changing it, they did not do it by a unanimous opinion, but by the *sense of the major part.* They could not agree on that point; but there was no hostility; there was condescension after it was discovered that the major part wanted it to be held at Philadelphia, and they yielded in humble submission to the decision, as being one of the spirit of truth.

But there is another consideration which I may simply advert to. One of the strong considerations connected with the holding of this yearly meeting in Philadelphia, was, that it might be beneficial to the *young;* that it might be *attended more numerously by the youth.* Carry that with you, in consideration with the language used in the argument the other day in relation to the youth.

Connected with all these meetings is a meeting of worship, and a meeting of ministers and elders. You have been told how their ministers were appointed, and also how these elders have been appointed. And these meetings are for the support and encouragement of each other. And they have their meetings as often as the meetings for discipline take place; but they are not to interfere with discipline. These ministers and elders have a monthly meeting, also a quarterly meeting, and a yearly meeting, which is held in Philadelphia, preparatory to the yearly meeting, and which I shall scrutinize with great care after a while; they have assumed a claim of connexion as a meeting for discipline. In p. 62, 63, 65, of the Discipline, you will find an account of these matters. The elders are to sit with, and encourage the ministers; but the elders, (I beg you to remember it,) are to be confined to their own meeting, and have no right to go out of that meeting for any purpose whatever, connected with discipline or other duties. I beg to remind you, sirs, of the great omission by the counsel. A minister or elder is appointed by the monthly meeting, and if a minister or elder has a right to exercise power, or to do any thing connected with discipline outside the monthly meeting which appointed him, it has not been proved; this is a burden which the opposite counsel should have taken upon themselves. But they did not attempt it, because they knew that they could not do it. I ask for their authority. Where is it? I am not to prove that he cannot, but they are to prove that he can. And they have failed, and one link of the chain of their argument, which is important for them, and without which they are unable to come to this conclusion, is broken. I ask the counsel for proof upon that point, and they cannot give it; I repeat, there is no

such authority. I understand there is a particular situation, where an elder may have conversation with a minister travelling; but that is a matter of which I shall consider hereafter. I am now speaking of the interference of elders, out of the limits of the meetings which appointed them. No such right exists. I say they have not shown it; and I have placed myself upon this broad principle; that where a man has an office, he has not the right to go beyond its limits. Take the township of Trenton; its officers cannot go to the county of Burlington or to the township of Hopewell, in the performance of an official duty, unless the laws of the state give him power. Where were the powers of these elders? Who can they represent, while they are doing it? The meeting has given them no such power of representation. I plant myself upon the negative of the proposition, and say, there is no principle of law or common sense, that can justify an officer to go without the limits of his appointment, unless he is by law, expressly authorized to do so. And there is an absence of even the pretence of such law and such authority.

This remark will have an important bearing upon the conduct of those ministers and elders in Philadelphia. I mean to say they have no such authority, and I demand proof of such authority. And having established the character of these ministers and elders, I mean when I come to facts, to apply these principles, and I shall not hesitate to say, that a more gross, shameful abuse of power never existed anywhere, than was established by those ministers and elders in Philadelphia. The history of no church in the world, can exhibit an instance in which its officers have dared to go more extravagantly, and so perseveringly beyond their duty, for the purpose of reeking private resentment upon an individual. The presbyterian, episcopalian, methodist, or baptist church, can furnish no parallel of an officer of the church, daring to go over the limits of their own jurisdiction, to exercise the discipline upon any one.

Connected with this yearly meeting, is a meeting for sufferings, which is the last meeting which I shall consider. This meeting for sufferings is an important body, and I hope the court will understand its exact character. I make this remark, not because there is difficulty in the matter, but because it is necessary to look minutely into it. This meeting, had its origin in England, at the time when the society was in great distress there. It was established for the purpose of considering the cases of those members of the society who were suffering from the calamities, either arising from acts of government, or the more ordinary calamities which befal man. And there was great cause for the establishment of this meeting. And in this country it was established for precisely the same reasons. But what was it? It was not a monthly meeting, or a quarterly meeting, or a yearly meeting, where all the members met, and could act, but it was a substitute in the vacancy or interval of a yearly meeting. It was to represent the yearly meeting at a time when the whole body could not meet or be together, in order

to consider cases of suffering which should be presented. It was a representation. And here is the first appearance of a representative power in this institution, and the only one; it is the first, and it is the last. Elsewhere it is a pure democracy; here it is representation. In monthly and all other meetings, individuals stand on one ground. This meeting for sufferings represents the yearly meeting, and is to consider certain matters which the yearly meeting would consider, if it was in session; it is a mere representation, and for that purpose. The court will perceive why I insist upon this idea of representation. It is only the power given to representation. My learned friend gave a beautiful dissertation the other day on nullification. I love to listen to him, for he talks eloquently and wisely upon that subject. He gave before you, the idea of representation; and I wish to say, that, in politics and religion, and private concerns, and in all kind of representation, the man who represents, can have no more power, than his constituents give him; and he must always be limited by the extent of power which is given to him.

Why our members of the legislature, when they come here, have a charter by which they can go, in the constitution. Our members of congress, when they go there, what is their limit and guide of action? They are limited by a letter of credence and authority, and a warrant of that authority is given to them; exercising their discretion on subjects when it is to be exercised; but they are not to do that, which they are not authorized to do. The very essence of representation, is to do that which is authorized, and nothing more. It lies at the foundation of all political institutions, and it is a principle, the desertion of which, will place all our institutions in danger. And so it is, in the society of friends. Where they direct persons to act for the body, they must act according to the power given to them, and they cannot go beyond it.

I said a little while ago, that in the general meetings of this society, was the finest specimen of democracy, that I have been able to discover in history. And I now say, that this is a fair specimen of representative power. Look, sirs, at the manner in which that power is to be limited and controlled. They are to sit, in the interval of the yearly meeting. Twelve of them are chosen by the yearly meeting, in its general capacity; but here again, comes in that same principle. If all the members had been selected by the yearly meeting, then, as the yearly meeting, would be composed of those who lived in, and surrounding the city, they would have all their representations from that part alone; they would all be from Philadelphia, or the country near it. And in order to prevent that, they gave to the whole body, the power of selecting twelve members of the meeting for sufferings, and each quarterly meeting was to choose four members. Now these persons, are representatives of the body, for the duties prescribed to them. You will find in page 53, 54, 55, of the Discipline, directions in relation to this meeting, which do not exist in relation to other meetings. "In

order that this yearly meeting, with its several branches might be properly represented in the intervals thereof, on emergent occasions, a meeting was instituted anno 1756, by the name of 'meeting for sufferings,' which it was agreed, should consist of twelve friends, appointed by the yearly meeting, (living in or near Philadelphia, for the convenience of getting soon together,) and also of four friends, chosen out of each of the quarterly meetings." Well, now, sirs, if this had been an original meeting and not a representative body, there this constitution would have stopped.

But they are required first, "to keep fair minutes of all their proceedings, and annually lay them before the yearly meeting." It is prescribed, that this body shall lay its minutes before the yearly meeting, because they are accountable; not because they *have independent power*, but because they *have no such power*. It has been claimed for them, but they have it not; and this meeting has violated the principles under which it was created.

Secondly. "No less number than twelve of the members attending, shall constitute a meeting capable of transacting business."

Your honours will observe, what great care is manifested in the great body; it was determined to set limits to the extent of their authority.

Thirdly. "On all occasions of uncommon importance, previous notice thereof, shall be given or sent to all the members." Remark, sirs, because they are representatives of different portions of the society, care is taken that all parts may be represented.

Fourthly. "In case of the desease of any friend, or friends, nominated either by the yearly meeting, or quarterly meetings, or of their declining or neglecting their attendance, for the space of twelve months, the meeting for sufferings, (if it be thought expedient,) may choose others, in his or their stead, to serve to the time of the next yearly meeting, or till the places of those who have represented the quarterly meeting, shall be supplied by new appointments.

Of all the perversions, gross and palpable, that ever I knew, of the original constitution of a body, the greatest has been exhibited in relation to this very article. Upon the authority of that, Samuel Bettle went to Little Creek, to say that they had no right to change these representatives; aye, sirs, argued it gravely too, that, upon that article, it was a permanent body, and that the southern quarter had no right, to change their representatives. All that I ask now, is not to speak of facts, but to call your attention to the words of the article, that you may see what they are. Let us look at them, not only as lawyers, but as men of sense, and in the simplicity of a quaker, and not with the ingenuity of a partizan or counsel. "In case of the decease of any friend, or friends, nominated either by the yearly meeting, or quarterly meeting, or of their declining or neglecting their attendance for the space of twelve months, the meeting for sufferings, (if it be thought expedient,)

may choose others, in his or their stead, to serve to the time of the next yearly meeting, or, till the places of those who have represented the quarterly meetings, shall be supplied by new appointments."

Now, sirs, the appointing power is at a distance, and it is provided, that in case of death, the body may supply its own members, until the original appointing power can act in the case.

I have never seen a more clear exhibition of the object of those who created laws of any kind, than in this. It is a perversion, permit me to add, a shameful perversion of language, for Samuel Bettle to give this article such a construction. I mean where he makes that part which is intended to apply to the power of the meeting for sufferings in case of vacancy by death or neglect, apply to the original appointing power. Is it not, sirs, a strange perversion of language? And when Samuel Bettle got up in the southern quarter, and spoke as he did on that occasion, he showed that he had brass enough to carry him through any thing. I ask you with some confidence, (for this is an important matter in this cause,) if you can, as lawyers and as men of sense, put such a construction upon it. No, sirs, you cannot; look at the article again; it is hardly necessary that I should read it again, as you must certainly understand it. Does not the power given to the meeting for sufferings, apply alone to the supplying of vacancies; to the body supplying vacancies until the original appointing power can act? Why, sirs, it does not even authorize; it does not say they *shall* appoint, it says the body "*may* choose others in his or their stead." Suppose a member dies just after the yearly meeting; does it require that the meeting for sufferings *shall* supply the vacancy? Because, if it is so, then it would be a permanent body; but that is not the case. In case of death, or negligence, or a decay of life and vigor, there are means by which it may be renovated, and there is, and ought to be, a compulsion upon it, to keep itself up in life and vigor. But these are the words, "*if it be thought expedient*, it *may* choose," &c. &c. If a man from the southern quarter dies, the meeting for sufferings, if it be thought expedient, may supply his place until the southern quarter appoints one to fill the deficiency. It is a most extraordinary perversion of the fundamental article which relates to the supplying of a vacancy, to make it apply to the original appointing power. Mr. Bettle wished to limit the appointing power. This was never intended. If so, it is such a representative body as ought to stand in glowing characters upon the face of this book; then it would stand in marked contrast in this peaceable, fair, and equal institution, with nothing to resemble it. Why, sirs, here are great duties to be performed, and yet you are told that the moment you have appointed representatives, that moment you have put out of your control the subjects upon which they are to act, and the duties they are to perform. Where do men learn of law, constitution, justice, and liberty, that reason in this way? For instance, here is the township of Trenton, that has something to be done? It appoints a representative to act for it, and the moment he is appointed, he is be-

yond the control of the power that appointed him. That is the principle, or there is none. Again. The Burlington quarter have an interest in some matter, and appoint a representative to attend to it for them, and the moment he is appointed, they cannot control him. He is permanent in his office as a representative, and paramount to the power which appointed him. But why reason about it? It is too absurd a matter for sensible men to reason about. I only wonder that these respectable, and talented, and worthy men, in pursuit of passion, or for private, or party purposes, or that any one else of such observation, should be found maintaining such a proposition before the world.

While I speak, sirs, on this point, I desire the earnest attention of the court to it, because this lies at the very foundation of the difficulties. And here was a most shameful usurpation of power, and one which cannot be justified by discipline. When the southern quarter wished to change their representatives, what right had the *creature* to say to the *creator*, "You shall not do this." Here was a violation of the principle of representative government. There, sirs, is an end to representation. That is no representative body, it represents nobody, if this principle be true. It is an end to the independent power which any meeting possesses, if this be true. Their authority is gone. The members of this society have appointed a meeting for sufferings, which, when they are created, are a body that can be called to no account for their conduct; they cannot be turned from their office if they act improperly, and they can exercise the power of despotism, to what extent they please, and this society can say no more of equality of rights and privileges. I protest in the name of law and equality, against such a construction; sirs, I am sure you can view this body in no other light, than that of a purely representative one. In its organization is shown a most beautiful system of representation. And such a perversion as has been attempted in relation to it, must be looked upon with indignation and scorn.

I come now to those articles in the course of the examination, relating to the limits of this meeting for sufferings. They will be found in the fifth and sixth. "The said meeting may sit on its own adjournments, and order these, as well as the times of its stated meetings, (if these do not exceed three months,) according to the business before them." The very meeting directing how they shall sit, has prescribed their power. What is the meaning of those limits? "The said meeting is not to meddle with any matter of faith or discipline, which has not been determined by the yearly meeting." Do you observe the emphatic terms sirs? It is not that they shall not *establish* any matter of faith, that they shall not lay down any doctrine which has been framed by others, and shall not exercise any authority over the consciences of others; but, sirs, they are not even to *meddle* with it, they are not to *touch* it, or control it any respect whatever. With the faith and the discipline of the society, they have nothing to do, and the course taken by the meeting for sufferings, in Philadelphia, was an imper-

tinent interference with them. You will observe they used the word, *meddle*. Look at the very nature of the word, and examine what character was intended to be given to this meeting. It is very plain. "You shall not meddle with it, you must not touch it." Sirs, friends have been very adroit in the selection of their words, and here is a specimen of their adroitness. "The further services confided to the said meeting for sufferings are,

First. "In general to represent this yearly meeting, and to appear on its behalf, in any cases where the interest or reputation of our religious society may render it needful." Under that they took the authority to make a publication of their faith, when Paul and Amicus wrote and published a controversy in a newspaper, in Delaware. I shall have to say much about Paul and Amicus hereafter, though I shall touch them now.

Second. "To take the oversight and inspection of all writings proposed to be printed relative to our religious principles or testimonies; and to promote or suppress the same at their discretion; also to print and distribute any writings already published by the society, or which may be offered for inspection as aforesaid and approved." This also, I shall consider when I come to that part of the case which relates to religious opinion.

Third. "It is to inspect and explain titles to land or other estate belonging to any of our meetings; also charitable legacies and donations: and to give such advice respecting the same as may appear to be necessary."

Now I do not see that either side can draw any very strong inference from that which I have last read. It shows the kind and tender regard paid by this society, for the promotion of the interests and happiness of all; and it looks to the title of estates belonging to them. But, sirs, the argument of our opponents is all wrong. The subordination of which they speak is misplaced. If the attending to titles, proves that they who give advice have an interest in the estate, why then we are to inquire, who it is that has the right to the property. It is not the yearly meeting—it is the meeting for sufferings that has a right to our land in this state; for that meeting takes care of land titles. The counsel cut up their own argument on this subject; and we must give up all our lands and grave-yards, if their principle is true; it must be so if their argument is correct, and it cannot be different.

Fourth. "To receive from the several quarterly meetings their annual accounts of sufferings, and also such memorials concerning deceased friends, as those meetings may have concurred with; that when examined and approved, they may be laid before the yearly meeting."

Fifth. "To extend such advice and assistance to any individuals under sufferings for our testimonies, as their cases may require, and if necessary, to apply to the government or persons in authority on their behalf."

Sixth. "To correspond with the meeting for sufferings in London or elsewhere, on the common concerns of the society."

Now, sirs, in this little item is evidence that the view which I gave a short time since, when I spoke of epistles from one meeting to another, is strictly true. It is to correspond on the common concerns of the society; but it does not make it inferior; if it does, then indeed we may draw the argument, that the yearly meeting is inferior; if not there is a failure in the argument.

It further says, "On solid consideration, it is agreed, that though none are properly members of the meeting for sufferings, but such as are appointed by the yearly meeting, or by the several quarterly meetings; yet that approved ministers and members of any other meeting for sufferings, corresponding with this, be permitted to attend when they be inclined to do so."

Now in that very provision, there is proof that my whole view of this meeting is correct. Approved ministers, and members of other meetings for sufferings, are permitted always to meet with them, although no other members of the society can, with propriety, sit with them. If the principles which I laid down are not true, how can that provision be in it. The powers and authority of this body are expressly stated, showing that it is a *representative body*, and must not go beyond its limits, and duties. These limits are expressly shown; and this meeting is expressly told, that they *are not to meddle with matters of discipline or faith:* and if the meeting for sufferings of Philadelphia have done that, they have violated their duty, pure, and honest, and correct as the members may be before the world, or as their friends may believe them to be.

There are one or two other circumstances connected with this meeting for sufferings which I will mention. I have been arguing all along that this was a *representative* body, and against the fact that it was a *permanent* body, and have been endeavoring to prostrate the argument by which its permanency was attempted to be supported. But there is in the history of this institution, the most conclusive support for the argument I have delivered. What was this meeting for sufferings, originally? It was a mere annual committee. In 1756, in this country, and in England as well as in this country, that meeting for sufferings was a mere committee appointed at one yearly meeting, to represent the society in matters of suffering until the next yearly meeting should convene. I refer the court to Gough and Sewell, and every other book which speaks of the institution of this meeting for sufferings. It was a mere committee of this character. The next thing you observe, is that that committee laid its proceedings before the yearly meeting, and they were approved of, and that committee was continued, and for about twenty years after the institution of this meeting as a committee, there is a constant minute made for the continuance from year to year of this meeting for sufferings regularly. And, sirs, it is respecting this annual committee, thus continued, that Samuel

Bettle argues, and says it was created a permanent body, over which those who appointed it have no control. It was continued annually until 1761, reserving the right to change, whenever the quarters should think proper. In 1764, it was continued in the same way, and as expressed in a former minute, giving full authority in the quarters to control their representatives, to renew them, to have entire authority and control, as the creating power always has over the representative. In the Discipline of 1768, it is again "continued agreeably to former minutes." This was continued in that way until 1797, and then the body, now so permanent, was continued as formerly; that is, standing on the same ground, that it did when it was a committee, appointed from year to year. But there was a condition annexed to it in 1797, that the meeting is to give notice to the quarters, if their representatives are neglectful of duty. Up to the year 1797, that meeting stood on this ground. They were to appoint them whenever they pleased and change them whenever they pleased. And at this year the meeting was enjoined to change them, if they were negligent in their duties, and the meeting for sufferings was to give them notice of it. This is plain on the face of the Discipline. What good would this provision do, if they had no power to change their representatives. The very fact, therefore, that this committee is to exist as it did formerly, and give notice to the quarters that appointed them, if they were negligent, shows clearly that they were to change them. Sirs, it is an irresistible argument, that up to that period at least, there was no question of the power of the quarters to control this matter, or they are required to do a very absurd and foolish act. In 1761, additional authority was given to the body; it was required to oversee papers and writings before they were made public, which related to the religious opinions of the society, and prevent being issued any thing relating to the doctrines or opinions of the society, which would not become them as members of the society of friends, and from that day to the date of this last discipline, there is not a single word altered in relation to that matter.

I have now gone through with the history of the meeting for sufferings, and have given to the court every thing which I can find in the books of discipline, and minutes of former yearly meetings, and every thing else that can throw light upon the subject. And this is the sum and substance of the whole matter. It was a *mere committee*, appointed year after year, as they saw occasion, up to a certain period, when it was continued, with certain provisions, that the quarters should change them when they pleased, and that the meeting for sufferings should apprise the quarters of the negligence of members, agreeably to the provision which was made in relation to this matter. This is the history in substance, of the difficulty that induced Samuel Bettle to go down to the southern quarter. There is no authority for such a course as he took; a more bold, unauthorized assumption of power, never has existed. It was a most gross usurpation. Was it not, sirs?

I have now given to your honors, what I mean to say of the organization of these different societies, so far as they stand upon separate ground. I have now but a few remarks to make, in relation to certain characteristics which apply to them all, that I may present the common features of these different meetings. The points to which I shall allude are, first, the mode in which decisions are come to in all. In the second place, the appointment and authority of clerks. In the third place, the subordination between them; and in relation to appeals. The two principal matters are, first, the mode of decision; and, secondly, the appointment and power of clerks, in the different meetings; for they are the same in them all.

[Court adjourned, until Second-day, 10 o'clock, A. M.]

SECOND-DAY MORNING, 12th: 10 o'clock.

I have endeavored to exhibit to your honors, the characteristic features of the society of friends, those which were peculiar, and which distinguished them from other denominations, and to explain to you the nature of their discipline, and the mode of their organization, for the management of both the temporal and spiritual concerns of the society. And in doing this, I have followed the different meetings of which their organization is composed, from the lowest, which is the preparative meeting, up to monthly, quarterly, and yearly meetings. And I also exhibited those other meetings, more peculiarly spiritual, which were connected with these, as the meeting of ministers and elders, and also the meeting for sufferings, which is connected with the yearly meeting, and, as I endeavored to show, is a mere committee of the yearly meeting, to represent it during the intervals between the sittings of the yearly meeting, in order that cases might meet with that prompt attention, which the feelings and principles of the society demand.

And with regard to all these meetings, I have to state, that there are certain features common to them all; and one feature is, that they have but one officer, at the time they are in session, connected with, acting in, and having any influence upon the movements of these meetings: and that is the clerk; which is common to them all. They have no presiding officer. I speak now of them as men. They have none of their own members as presiding officer; they have a head, and always have professed to have one president and guide in all their meetings. They profess to have one, but that is not one of themselves. Their head, their president, their guide, is Christ the head of the church. And there is no other; we are so told by Fox and Barclay, and by the Discipline. And in this the orthodox and friends agree; they both profess that while they are in session, while their meetings are gathered, the presiding officer of their meetings is the great head of the church.

And we must take that idea along with us: it is impossible in the investigation of this case, unless we remember this peculiarity, that we can decide rationally, justly, and legally, in relation to the proceedings of these meetings.

The officer to whom I allude, is the clerk; and you perceive, that when I was treating of all these inferior meetings, that according to discipline, there was to be a committee annually appointed, to select or nominate a person for this duty. And in the yearly meeting, the representatives, who were committees from all the quarterly meetings, constituted a committee for the selection of their officer. The object of appointing these committees, is also distinctly exhibited in the discipline; they are to be annually appointed, in order that there may be an annual selection of this officer. And they give the reason why there should be this annual selection. It is, that an opportunity may be afforded for their being seasonably changed, and that more of their qualified members may be brought forward, and be prepared to discharge the duties of this, and other stations in the society. Thus ending the office annually; thus making the office an annual office, by the constitution of the society, and making it so, for a great object; carrying out the principles which in other political matters, in the regulation of civil society, we act upon, in relation to the short term of office; and in the selection, qualification, and character of their only officer, they are carrying them out fully into execution. It is then an annual appointment, and has the same character in all their meetings; and there is no rule, there is no principle, which justifies the continuance of this officer longer than a year; the office of clerk terminates then, and does not continue until another shall be appointed. I call for the production of any thing in, or connected with the discipline, or of any thing that is a guide of the discipline, or the language of witnesses, which shows that this officer is to continue longer than a year. It is an annual appointment, and then it ceases. And this is one of the great errors which the chief justice has fallen into in this case. And I am surprised that a mind like his should declare that that office should continue until another appointment was made. I am perfectly aware, and I need not read his language on this subject, that he lays it down explicitly as the rule which is to guide this society; that when they meet in the capacity of a yearly meeting, the former clerk is to continue until another is appointed; and he refers to the testimony of William Jackson on that subject, and that is the only testimony upon which it is founded. In 1st volume of Evidence, page 104, the question is put thus: "In the course of your long experience, do you remember any instance in which the representatives to the yearly meeting or the yearly meeting itself, was unable to agree upon a clerk?" His answer is: "From what knowledge I have of that, in this country, and I have been to all the yearly meetings on this continent, except two away west, (Ohio and Indiana,) and some of them different times, and also, London and Dublin, the uniform practice was, for the clerk that heretofore served

the yearly meeting, to continue to serve it, until a new appointment was made." This witness is referred to by the chief justice as good authority, and as an aged and venerable man, and upon his evidence he founds the strange and singular fact, that the old clerk is to continue until another is appointed, and that if there is any difficulty, the old clerk should continue until another is agreed upon. William Jackson declared in the yearly meeting, that such was the universal practice. And, sirs, it has been declared to be the practice and usage of the society. Now, I ask for this usage. William Jackson declares in another part: *that he does not recollect with certainty, of such a case occurring before;* and I should like to know where this practice has existed. William Jackson knows of no such usage, or of no such authority in discipline. The chief justice was in a gross and palpable error, upon that which is the great and controlling point in considering this yearly meeting. He founds his opinion upon the idea that this was usage—that there was practice for this. The fact and principle which he assumed, were, that this officer should continue until there was an agreement; until there was another selected. Now, I meet him upon the threshhold of this declaration. I look to the testimony of William Jackson, and he declares that he never knew of such a case, and we have not been told of a similar one. I therefore say respectfully, to the chief justice, and to those who rely upon his opinion, that this is a great error; and one which follows him throughout this investigation, and leads to a false and illegal conclusion. For if he had not committed that error, he would not have declared that the yearly meeting of 1827 was in constitutional existence, and that it could control the future course of the parties in this controversy. But the chief justice was not only wrong in fact, but in principle; and all knowledge denies the correctness of his reasoning. The clerk of that yearly meeting stands upon the same ground as the clerk of any other body. Look for a moment, at the House of Representatives; the clerk of the old house will open the new Congress, because it is a rule there, as it is in the yearly meeting. But I ask if the House does not look whether the old clerk continues. After the opening of the House his powers are gone; he has no power to do any thing, it would be the appointment of himself: there must be a new authority conferred upon him, the right must be invested in him or he cannot exercise it. It is not the failure to agree, or to choose and appoint, which gives him authority; but it is the agreement of the body. The question is, does that say he shall continue? And it must be that agreement which gives the power; and without it there can be no such authority. The chief justice answers, and says, if it was not so, the meeting would be dissolved. Now, sirs, let me ask, if the Congress of the United States could not agree upon a speaker, would this body fail to exist under the constitution? No sirs; the body would still exist; and it may remain there from the opening of the year to the end of summer, to select officers, and it is still in being and in action. It may not have a clerk, because

it cannot agree upon a clerk; and it may not have a speaker, because it cannot agree upon a speaker. And there have been instances, when there has been more than a week without their coming to any agreement, and the House was not destroyed. The argument of the chief justice was unfounded, and without support. He says it is a matter of necessity, that the old clerk must continue until another is agreed upon. The body may continue, and may labor day after day to get a clerk, but it is still in existence. It may be destroyed *because the bond of unity is broken*, and not unless the bond is broken. There is error not only in the fact, but in the argument, from the beginning to the end of it, so far as it relates to the clerk of the yearly meeting. This appointment of clerk, then, sirs, is an annual appointment; he merely opens the next meeting, and then his office terminates.

Now sirs, the next inquiry is, while the clerk is in his office, what are the duties which he is to perform? He is not to preside in the meeting to keep order. There are no rules, such as other bodies have, by which he is to govern and control the members of the assembly; he has no power of any kind or description, to dictate either the subject matter of consideration, the mode or rules by which the subject is to be considered, or the conclusions to which the meeting shall come. This is admitted, and I am not debating with our opponents, for they agree with me. Samuel Bettle admits this, and all admit it. What then is the power of the clerk? If it be to perform none of those duties which I have mentioned, what has he to do, sirs? He has, as the chief justice declares, very important duties to discharge; but these relate to two matters: first, to gather the sense of the meeting upon any subject or proposition before it; and in the second place, to make a minute, recording that sense in words which shall express it clearly, and submit it to the meeting, to know whether he has made it correctly or not.

How does the clerk obtain the sense of this meeting? Not by vote as in ordinary cases in other bodies; not by inquiring whether the majority is on that side or not. I admit they know nothing of counting to ascertain majorities; in coming to the sense of the meeting, by which the clerk is to make his minute, the question of majority he does not consider; he gets at the sense of the meeting in another way. It is difficult for any of us, unless it be one single member of the court, to discover what is the mode by which the clerk is to reach this conclusion. In other bodies we take votes, unless it appears that the majority is so great that it is not necessary, as is the case in some instances. But the clerk of a quaker meeting comes to his conclusions in this mode. The question is propounded; no other question is permitted to intervene; there can be no second resolution or third proposition thrust in. The subject is now before the meeting, and no matter what it is, no matter what is the subject to be considered of by the meeting. Suppose the proposition is an affirmative one, and nobody objects to it, the clerk then perceives there is unity in the meeting, and makes the minute

accordingly. Suppose the proposition is, to send a committee down to an inferior meeting, and nobody objects, then there is unity; the sense of the meeting is on that side. But suppose, afterward, some individuals express opinions opposed to it; then the question is to be decided, which is the sense of the meeting; and that is to be come to by the influence of that spirit, which is the rule over all their meetings, directing not the clerk only, but all, to the same result; and there will, in this way, be a concurrence and condescension in the body, in relation to the matter before it. The clerk perceives that it has become the sense of the meeting, under the guidance of the spirit of truth, which is the master of their assemblies. But if that portion still continues opposed to the proposition, why then there is no sense of the meeting; and the proposition is at an end. For there must be a unity.

Now, you will perceive why I insisted on the proposition, upon which I detained you so long, and with which I feared I was worrying you, at the moment. If the proposition is continued, and they do not yield to it, if there is no unity, no sense of the meeting which the clerk can record without doubt and without hesitation, then it is seen that the great head of the church has not guided them, so that they can come to a conclusion, and not fall into error. Therefore, whenever there is opposition, the proposition is either postponed or dropped. But suppose it be a proposition which is necessary to be decided, (there is a great variety of such questions or cases,) what then is the clerk to do? He sees there is not unity of feeling, what is he to do? Why in solemn, inward, and humble reliance, and dependence upon that light, which the great head of the church gives, looking to the meeting, he is to see what the weight, and influence, and feeling in the meeting is, and give what he believes is the opinion of the larger part of the meeting. Well, if the meeting concurs with it, you will perceive at once, that those opposed condescend to the views of the opposite party. You will perceive that the minority have yielded to the majority in this matter; unity has been reached, and that unity was produced by a looking to that wisdom, which is to control all their decisions. The clerk is honestly, and humbly, to depend upon divine authority and wisdom, and get the prevailing sense of the meeting, and read it. Such is the course to be pursued where there is opposition; and such would have been the proper course for Samuel Bettle to have taken. There, sirs, is a coming to that unity which is the end and necessary termination of all their transactions. But if after the minute embracing the decision is read, the opposition still continues, there is an end of it, they cannot possibly come to a conclusion. Now this will show that there is not so much difficulty in this matter. Yet to me it is an awkward subject to discuss, for I have great difficulty in reaching the views of this society; and this cannot be considered singular, for Samuel Bettle declared, (and he served twenty years as clerk,) when he was asked the mode in which a clerk was to judge, and form a decision, that it

was difficult to make any one comprehend it without the utmost labor. It is so. And yet, sirs, if you will keep in view, the course which I have endeavored to explain, you can understand it, so as to be enabled to apply the principles to the facts, and to test the conduct of that yearly meeting, and of this same man, Samuel Bettle, himself. I repeat then that they must come to a unity, and this is to be reached in the mode I mentioned; by the clerk faithfully endeavoring to know what the *prevailing sense* of the meeting is; and he knows if eight out of ten agree, there is no difficulty, but he is not at liberty to put down his own private views as the sense of the meeting itself.

Now I make this inquiry. In the mode of coming to a decision, although there are no votes, no count, no majority, I ask this question; and it is an important one. Is there any such thing in an assembly like the yearly meeting, as disregarding the will of the majority? I admit that quakers do not count in their meetings, or separate to each side of the house; nor do they take pieces of paper and make a ballot, but it is to be the sense of the meeting which is to be taken, and can there be such a thing as the *sense of the meeting, against a majority of the meeting?* Is it not a violation of the principles upon which the society is founded, to say that the clerk can make a minute against the will of the majority, as the sense of the meeting itself? It cannot be so. I am aware that it is not in the majority, that the spirit will always appear. It may appear in the minority as well as in the majority, or it may show itself in a single man. Well that is all true; but what is the result? That the light will bring the whole sense of the meeting to it. And when they come to this, there is unity in the body, and not before. I do hold that the majority may not always have the true light to enable them to determine the question before them; the majority may be in error. It is not the minority that may always have it. It may come down to a *single one*, and that may be a *youth of sixteen*, who, seeing the proposition in that light which emanates from the head of the church himself, may proclaim to the meeting what is the true decision; and the meeting perceiving that the light is in him, they will unite with him. Although the spirit may shine upon but a single member in the body, all the members may concur in the view which that single individual presents, and in that mode they may guide the whole meeting. Therefore, we are not to be misled, when we are told that there may be a few weighty men in the meeting, and I admit, according to their own phraseology, that there "may be a *few weighty men* in the body," but when they come to a conclusion, it is *because, these weighty men have been the instruments in producing the unity of the body*, that they are to be regarded as weighty men; it is that they have been instrumental in assisting the meeting to come to a united decision. I remarked that the light may appear in a single one, but in a meeting of a thousand individuals, this does not justify a decision, until they shall all be brought to see the matter in the same light as that one individual sees it. And

thus they come to a unity; but until they do that, the decision of one or twenty is of no kind of consequence. All that can be said is this; that they are not gathered together in a proper state or spirit, provided the majority do not concur with them; there can be no such thing as deciding against the majority.

This principle is a beautiful one; it is a delightful one, if true; and we are not to question whether it be right or wrong; that is not for us; no human tribunal can pass safely over that ground; it must be left to a higher and a keener sight. No sirs. It is beautiful and delightful to contemplate. It looks to Christ himself; it looks to the light itself. It believes that the light will descend, whenever called, to act upon one or more individuals of their assemblies. The light of truth beaming forth from one or more of those assembled, will ofttimes have such an influence over the whole body, that they will yield to its dictates, and be led by the truth, and to the truth; and they must therefore be united in the conclusion to which they come. Admit their principle, and their conclusion is fair and just. Admit the existence of their principle, and we are bound to regard it as a correct one, and to follow it out in all its legitimate consequences.

I put this question to you distinctly. Can there be a decision of a minority, when the majority is opposed to that minority? Because, that is the result of the argument of the chief justice and of the orthodox party; that there may he a *minority* which has been more overshadowed by the spirit than the rest. But, how are you to tell that they are more favored than others? Thus bringing us to that which I make a conclusive point in this question, that is, how do you tell that they have more of the spirit of truth, and have the right to judge and control the meeting? How do they prove that they have been more highly favored? How are your honors to know that they have been thus favored? By what process can you inquire? Where is the eyesight so keen, as to detect the truth on this point? If you are to decide that a minority is to govern in the yearly meeting, you must do it upon the ground that they have more of the spirit of truth than the others. Now how do you prove it? It is an affirmative proposition. For myself, I know not by what species of evidence we are to approach the conclusion of that question. I have no scales by which I can weigh the amount of the light within, and the effect of the spirit, which is in the minority or majority of the meeting. Have you such an eyesight that you can see, or such scales, (if you have I should like to see them,) that you can weigh? If you have proceeded to the measurement and weighing of this matter, or if not, beware how you decide that the minority have more light than the majority, upon any given question.

This I present with great caution, and I have no doubt but you agree with me in relation to this matter. I care not what may be the principles of the society, this is a question which is not for a legal tribunal to adjudicate. I say there is no human power competent for

the discussion of such a question. This is the great principle on which I plant myself upon the subject of religious doctrines. For it is incorporated into the question of the religious belief of this people, into their civil discipline, and in every thing connected with the whole society. And upon that broad principle, in your judicial capacity you are not to judge of them, as you would of an ordinary society or company which has its prescribed rules, where its contract is in writing, and where under hand and seal, the terms are exhibited to the world, and where the principles of law are applicable to the covenant itself. We are now debating, with respect to a society, which has nothing of all this; we are looking at a society which is governed by principles totally different; and all adjudication in courts of justice relative to the society, whether their principle be true or false, must be with reference to the bond of this institution; for without that bond, this society are nothing, they are scattered to the winds. There can be no correct decision without a strict reference to that principle; and, sirs, upon that ground I defy human power to act, or to say which have most of the light within them; that must be decided before the bar of God himself, in the final judgment.

We must, in the case which is now before the court, decide upon the ground of majority. We must decide by the facts and human evidence, when inquiring into the relative rights of these parties. You mislead yourselves if you decide upon any other ground. Am I not right? Is it not true, according to the quaker principle, that when the society divide or separate, and one part goes one way, and the other part goes another way, they are right who have the most of the spirit? Did you not hear him to whom I love to refer, and whom I love to praise, say that in this case the majority could not be regarded, and that *influence* and *feeling* were to control and decide this matter? Well how can you determine which has the most religious feeling when any matter of discipline is before them? I am speaking now of matters of discipline; and how can you tell which side has most of the spirit. Samuel Bettle and Thomas Evans, say a few have it. And those on the other side are to be looked upon as *reprobates*, *heretics*, and *infidels*, as said the learned counsel. If you can decide this question, you have a capacity which should relieve me from wasting my powers before you, for you can see far beyond the ordinary power of human intellect.

Now this is the principle, that the clerk is elected for a year, unless by the assent of the meeting it should be different. His duty is to collect the sense of the meeting under the superintendence of the great head of the church, and if they come to a conclusion without opposition, that is a safe conclusion. He is therefore entirely under the control of the meeting in this matter, and if the society separate, there is no power outside of the society, which can tell what decision should have been made on any occasion. I refer your honors, for the principles upon which I plant myself on this subject, to 1st Clarkson, p. 210,

211; Barclay on Church Government, p. 18; Chief Justice's opinion, 27, 28; 2 Fox's Journal, p. 174; testimony of Samuel Bettle, vol. i. p. 64. They all put the mode of decision precisely upon the same point on which I put it; and it shows that I am not in error, in relation to that great fundamental principle. It is impossible that I can be in error with regard to this meeting; while it is united, there can be no difficulty; but where there is an irreconcilable difference in opinion, in relation to any vital question, the *majority* must govern. But I refer you to what is said in a case where there was this difference between the parties. I mean the case of Keith. You will look to Jenning's statement of that case. And to Keith's own plea, called a "Plea for the Innocent," p. 16. I will not fatigue you by reading the Statement or Plea. You will find there a contest upon this subject; and Jennings gave an answer to what was stated by Keith. In p. 38, 39, and 40, you will find an elucidation of the principles which I have now given, showing that where there is this difference, the majority must govern, and there the majority did govern. In the whole history of Keith, you will find that there was an indispensable necessity for going upon the very principle, which I claim to be the true principle on this subject. There were meetings in Philadelphia which were divided, and before they separated, there were decisions made, and it was necessary they should be recorded. George Keith claimed that the majority were with him; and Jennings declared that there was a majority opposed to Keith. And there was a majority in opposition to Keith; and both these men in their Plea, and Statement, which appeared throughout every habitation of quakerism, and every meeting on the face of the globe, have put it on that ground; because there was no other upon which they could put it, or upon which they could rest. In the meeting where Keith was a member, this difficulty arose; and he was there pleading for those principles which he advocated in the Church of England. And there was a division, one third of the assembly going with Keith, and two thirds being opposed to him. How must they have come to a decision? The clerk took the decision according to the majority, and they were governed in Keith's case by that principle, and they could be governed by no other. I am not only sustained by the reasons which I have given, but by the historical fact in this case; and I believe that I stand firmly, as I always desire to do, when I say that the chief justice was in error.

I have now given you my views respecting the powers of the clerk, and the mode of decision in this assembly. I have a few remarks to make in relation to one other matter, that is, subordination and appeals, which are directly connected with each of these different meetings, of which I have spoken.

Now, if in this most laborious investigation, your honors are capable of recalling some of these views which I have presented to you, you will also recollect my remarks, in relation to subordination. The chief justice, and Judge Drake say, that here is subordination, in an inferior

meeting obeying a superior. That we do not admit: not because we care what conclusion you come to in relation to it, but because it is not true in principle. I know there is one principle of subordination, where an inferior shall obey the commands of a superior: it is so in military cases; a general must be obeyed by a colonel, and a colonel must be obeyed by a major, and no matter what may be the consequence of the superior issuing the order, the inferior is to obey it. But we know nothing of such subordination here; all that we have is neither more nor less than this. It is the ascending and descending, sirs, of meetings, but without a specific force or power, in a superior, over an inferior meeting. Is not this so? Our adversaries claim that it results from the fact of subordination, that we are in all matters, to obey the orders of a superior meeting; it is an affirmative proposition, and they are to prove it. We deny it. We say that this subordination is of different kinds, according to the subject matter to which it is applied. And inferior meetings are not to be controlled by larger meetings; you must show the principle upon which the superior meeting depends, and the reason why it has a right to control an inferior meeting. If you do not do this, you do nothing in relation to this subordination and connexion. Now I look at the Discipline, and that is the only place to which we can look for any thing of this kind; to the constitution of their church government. I look there to find what it says of the nature or character of that subordination, and I am not able to find any thing of that description. All that it says is, that one meeting shall render an account to the other, and it tells you what that account is. They are to answer the queries; that is, to render a statement of the condition of the inferior meetings, in all matters respecting the good of the church, and if the superior be not satisfied with the condition of the inferior, the inferior ought to receive the opinion and advice of the superior; and that is the whole of the subordination. But I do not mean to detain you with these matters so far as they relate to religious concerns. We are here on the subject of property, and I deny any subordination in relation to property. I ask for proof, and demand a written record of the authority of a superior meeting, to take property away. They have not proposed to furnish it; they knew they could not; they have wrapped themselves up in mystery. I answer it is not within the contract or bond. The chief justice has not in this case, as he almost always has in others, procured satisfaction by showing the steps, by which he reached a decision; in this question he does not show them. I am not willing that the property of my clients should be taken away, and controlled by men out of the state, who gave nothing to create it, and it is enough for me to say that it is not within the contract; there is no such subordination; if there was it should have been proved. The chief justice and the counsel should not have satisfied themselves, that this subordination reached property, without stronger evidence.

There is one fact which shows I am right. How does the superior

meeting affect the proceedings of an inferior meeting, so far as relates to discipline? It does it on the fact being presented by the inferior meeting to the superior; and then the superior meeting is called to act upon it, by receiving the queries, or views, or representations, made from an inferior meeting. It cannot *originate* an inquiry into these matters; it takes them all by appeal, or reference from the inferior meetings; from those great democratic assemblies, monthly meetings. It adjudicates upon them, and can take hold of no matter, except in that way. Now is there any subordination of property? Do inferior meetings ever carry up questions in relation to property? And I ask, sirs, if a superior meeting can have jurisdiction in relation to appeals, how it gets the control over property? I know it cannot have that control, for the effect of an appeal from an inferior meeting is an argument to my mind, that the pretences of the other party are utterly without foundation; and hence I complain that the chief justice has not shown us how the subordination was to affect this, and the counsel here, who endeavored to supply the defects in that opinion, and which in an attempt of an hour's length, he failed to do, has left it just as the chief justice did; *a matter of inference altogether;* and I now say, with regard to this subordination, that it has no possible influence on the question of property; it never had or can have; if it has, it must be upon that principle which is exhibited by Thomas Evans, in his testimony, in which he says, this property belongs to the whole quaker church, I beg pardon, not *church*, to the whole quaker society of the world. To the quakers of Virginia, New-York, Baltimore, Ohio, Carolina, Indiana, and Rhode Island; and these have ultimately a right to take it to themselves. Thus, when he exhibited this erroneous principle, he did it by compulsion. He is a keen, discerning man, and he saw there was no other mode by which he could establish the principle that it belonged to the whole society, than by asserting, that if an inferior part was dispossessed of it, it must go to a superior meeting—to Philadelphia, and perhaps, to London. But can this court sustain a principle so monstrous? See the consequences of it. Here is this meeting of Chesterfield: it has raised three thousand dollars. They are under the control of the monthly meeting. From this relation, and according to this principle, the monthly meeting may say, "you are not in unity, you have lost it;" and the quarterly meeting may say to the monthly meeting, "you have have not done right, we must have it;" and so it goes on to the society in Philadelphia; it goes to the people of Pennsylvania, and then to London yearly meeting, and if I could judge by the temper of some of those who have come to this country, it would go to London: and this is the progress of the principle of the adverse counsel. This court will never establish a trust, no court can establish a trust, which shall, in its consequences lead where I have directed your attention. You cannot say that the people of New Jersey are otherwise than protected in their rights.

But there is another idea in relation to this matter. Before the es-

tablishment of this yearly meeting, a number of preparative and monthly meetings had acquired property for themselves. When they established a yearly meeting, did they give up their property to the yearly meeting? All the deeds and obligations of that trust were in full power before the yearly meeting. The Crosswicks meeting was created before the yearly meeting was created. Well, when the yearly meeting was created, did it surrender its property? If so, how did it do it? Where is the deed of surrender? No sirs, it never did it; and by the creation of the yearly meeting, after which there could not be a change of the trust itself, how can property created before the yearly meeting, become afterwards subject to the control of the yearly meeting. Since the establishment of the yearly meeting, if friends desire to have a meeting for worship do they go to the quarterly or yearly meeting for permission to create it? Do they not create this meeting for their own purpose, furnishing the money, raising the building, preparing it for themselves? How can those who have nothing to do with the creation of the fund itself, how can a connexion of a meeting with a yearly meeting produce any change in the trust itself, and how can it destroy their right over it? Sirs, every thing connected with this subject, is to my mind perfect satisfaction that there can be no such connexion and control, as the adversaries declare and assume.

On this part of the case, and as to the manner of creating and holding property, I refer you to 1st Gough, p. 123, 125, 145, 146, 147, and to James Brown's testimony, vol. 2d, p. 68, in which he speaks of the nature of property, &c., and to Joseph Whitall's Testimony, 1st vol. p. 263, and to the original bill itself, where you will find an admission, that the view which I have taken is not incorrect.

There is another consideration. This yearly meeting, that is said to have the control of this property, does not own any particular property itself. It does not own the building in which it assembles; the monthly meeting owns that property, and, as the owners of that property, they can shut them out of it to-morrow. There is another idea connected with it. They say a minority is to govern, because they are the weight. If a minority may govern, I should like to know, what minority? Is it a minority of one, or of five, of ten, or of twenty? They do not give us any guide on that subject. If the minority may govern, this may be five or ten; for there may be five according to their rule, who are so very weighty as to weigh down the whole assembly. I ask, for I desire to know, if we are to have our property taken away in this way, what is the principle upon which the right to do so is founded? They say, the many are not to govern; they say, that two may govern; then what is to be the result? Why, one may govern. You recollect an incident referred to on this subject. There was once a yearly meeting of friends in the West Indies. They dwindled down, and became small. It became necessary to cut off some of their monthly members; their numbers diminished, and at length it

was brought down to two people, and the property of the society was a consideration; and it was inconsistent with the views of one that the other should continue a member, so he disowned him, and took the whole of the property. This principle bringing utter scorn upon that occasion.

A few went out of Chesterfield meeting; and my friend Craft, as I said on a former occasion, (who is a very honest man, and would not do any thing wrong,) may say to the rest of his associates, "you are wrong," and thus take all the property to himself. That is the natural result; for if eight or ten, can take it away from fifty, five can take it from eight, three may take it from five, and one may take it from three. Now, sirs, can you adjudicate property upon a principle like that? and if that is not the result of this thing, I am bewildered in relation to this subject. If the minority should differ among themselves, there would be no limit. The scorned idea of a *majority*, which is to tear down our churches, and destroy religion—I say sirs, that this scorned principle of a *majority*, is the only one which can be brought to bear upon these institutions without destroying them. The rights of my fellow-citizens will be destroyed, if you attempt to decide in this way. Whenever they come into a court to decide on property, that tribunal must say, this is the great principle: the majority is the great principle upon which we must decide; and therefore, the claim set up upon this question, is not and cannot be sustained.

Why sirs, I have said this thing might be done. Am I talking by mere fancy? In three instances this has been done already. In 2d volume of Evidence, p. 67, and 459, testimony of Halliday Jackson, speaking of Maurice river monthly meeting; there were no orthodox in that meeting, and what was done, sirs? Salem quarterly meeting laid it down, and may take the whole of its property; that is the result if they succeed in this case. Here are these friends, who have prepared a house for worship, and a ground where their ashes may rest, and a fund to educate their children, with a *dash of the pen* declared to be no longer members; and by that, all their grave-yards, and meeting-houses, and schools, will be taken away. Sirs, it is not fancy, it is truth, and against such consequences I protest.

It is not this case of Maurice river alone: Piles-Grove monthly meeting comprised three preparative meetings; all but seven of their members, were friends; there were but seven orthodox in the whole. When they came to make the division in the meeting, according to the orthodox principle, these seven were the weighty and the respectable, and possessed all the religion, and all the property. Yet in this meeting there was not a minister, or elder, or overseer, or clerk, that was orthodox. How was that matter managed? Penn's neck had none at all; Mullica Hill and Woolwich had two or three, and Piles-Grove had five or six; they called in the aid of the orthodox, at a distant meeting, (Woodbury, perhaps,) and disowned the rest. The only orthodox man that belonged to one of these meetings, after he had called in his neigh-

bors to aid him in the disownments, went out of New Jersey, and is not now an inhabitant of this state. He deserted the country, after he had put the property into the hands of the money-craving orthodox. This is the result of their doings, and can you justify it?

There are a number of other instances referred to here. In Greenwich meeting, there was but a single orthodox, and all the rest friends. The plan would be to join him to the Woodbury meeting, that the members of the meeting to which he belonged be might disowned, and let Woodbury meeting take all the property.

What has been done with the southern quarter? It has been disobedient to the aristocracy of Philadelphia; (my feelings will not permit me to use a word less strong,) what was the result? That quarter was laid down by a *stroke of the pen*, and joined to a quarter, composed of persons residing in Delaware and Pennsylvania. So this is the result, carried to Delaware and Pennsylvania; you cannot sanction this principle. I know sirs, you cannot do it. There is no escape from it, if you adopt the principle of the orthodox side: it is the plain result of it. I speak sirs, not of *probabilities* or of *possibilities*, but of *facts*, and consequences, which cannot be avoided if that principle be right. I refer you to 2d vol. Evidence, p. 6 and 7, and 459; and Thomas Evans' testimony, 1st vol. p. 273, and to 2d vol. p. 368, 404, and 66.

I come back then again, and ask if there is any such subordination as the orthodox pretend. We are not told in the Discipline, that the object of that subordination is to regulate property. Now, what is called the "order of society," is not to embrace the *property* of the society. I observe, that in opposition to this idea, there has been a suggestion, that the very act of this yearly meeting, in the collection of three thousand dollars for a benevolent purpose, is proof that the yearly meeting had control of the society, in relation to property. You will recollect that in the yearly meeting of 1827, they determined to raise three thousand dollars, for the purpose of aiding friends in North Carolina, in relieving the blacks, who would have been slaves, if not sent out of the state. That yearly meeting requested the monthly and quarterly meetings to raise means. Well, upon this the argument is founded, that the yearly meeting have a right to control property. I ask, what is the nature of the authority, which the yearly meeting had on that subject? They determined to raise the amount of money. Suppose a monthly meeting did not raise a single dollar; suppose any individual had said, "I do not feel a freedom to give;" would the yearly meeting or quarterly meeting punish him if he did not? Or would a superior meeting punish an inferior meeting, if it did not contribute in that matter? It is mere advice. This is a poor argument to prove that the yearly meeting has control over property. Sirs, it is no argument at all. There is, therefore, in the yearly meeting, no power or control over that matter, and it is no proof that the yearly meeting has any thing to do with the property of the body.

Now, although I concur with the chief justice that there is subor-

dination, I deny the nature of that subordination. Stacy Decow, in p. 21 and 24, has explained the nature of that subordination; and I refer you to it as a true character of that subordination; the counsel have not proved that there is any other, and the chief justice has *assumed* the position which he ought to have *proved*. And it is remarkable too, for in p. 15, he expressly avoids the question, whether a meeting can be laid down against its will. Well, how can property be laid down under such circumstances? And he avoids the question whether a superior meeting can control an inferior, in relation to property. Well, how can it take its property? And he makes no allusion to this subordination in relation to appeals, and when I consider what intellect was brought to bear upon this case, it seems to me strange, and I cannot comprehend how he could read the conclusion he did; it must have been arrived at by jumping over these matters. There must be a way of getting at it, yet he says he will not look at it, and he has exhibited his error when he has refused to look at points, which could alone guide him in coming to a safe conclusion.

I have now closed the examination of the meetings and their dependence, and I have come, I think, pretty safely to the conclusion, which I exhibited to your honors at the commencement, when I laid down the several propositions which I intended to sustain, and particularly in relation to this part of the question. If I have failed I can but regret it. The consequences I have exhibited to you, as I presented them to you at that time. I told you if such principles were adopted, such would be the results, and I have proved that such are the results. I told you that we were laboring upon a question of property; that this was affecting property from one part of the state to another, and the principles upon which the judge has placed his opinion, would deprive us of our grave-yards, school-houses and meeting-houses. Is it not so? I know not what preparation they have made, awaiting the decision of this case; one thing I do know. I have it from their own mouths here, that if they succeed in this case, there is not a school-house, or meeting-house, or grave-yard, that they will not grasp with the iron hand of the law, themselves being but a small minority, not a fourth part of the whole. The very houses in which we worship our Maker, and the grave-yards in which are placed the remains of our fathers, and our children, and the shool-houses in which we have educated our youth, in the fear of God, and in the order of society, will be forever taken away, by the hard-grasping, and cruel hand of the orthodox. I do hope that this is not to be the result; and I protest against such consequences; they must not come here, if there be strength and power of argument, sufficient to prevent it.

Now I entreat your attention in the next place, to the consideration of what was done in these meetings. I hope I shall make it much more brief, than the laborious effort which has been made to understand what these meetings are. Go with me now, if you please, to Chesterfield, and let us see what was done there, in applying the principles which

we ought to carry with us. The school was there, and is yet in existence. They have had the exclusive management of it, from the time of its creation, up to the present day. I have attempted to show, that no other meeting except the preparative meeting, could possibly interfere with the management of this fund. We will look to the preparative meeting itself; we will see what was done in that meeting, and what is the present condition of that meeting.

In this discussion, I simply use the word *orthodox* because they admit the term. I apply the name *friends* to my clients, as they do not hold to the name of Hicksite, as I shall show you most amply, before I have done. I do not use either term, with a view of casting imputation on any.

In January, 1827, this preparative meeting was united; there was no difficulty between them; and I beg your honors will remember the date, because it is long after most of the causes of the separation had existed; it is long after the orthodox party declared, that we had deserted the faith of our fathers. In January, 1827, this being a united preparative meeting, they appointed their officers: they were all together, orthodox and friends. The trustees of this fund, were officers appointed by them at the proper time, and they had the management of the fund. They are appointed annually. I refer your honors to the testimony of Samuel Craft, p. 337, 339, 340, and to the testimony of Gaskill, Brown, and Emlen. The appointment of trustees is an annual appointment, and they received their appointment by the whole body united: the treasurer was not then appointed. Joseph Hendrickson was then treasurer; his was an appointment during the pleasure of the meeting. There have been only three treasurers since the establishment of the fund in 1792 or 1793. A man is continued from year to year, and is a mere agent of the trustees, and they keep him as long as they please; but it is an office held, of course, at the will of the appointing power, because it is an office during its pleasure, and the treasurer may therefore, be removed, whenever the appointing power sees fit. About this principle I need not detain you.

The duties of the treasurer are clearly defined; he is simply to dispose of the money under the care of the trustees, and he accounts for the money only to them.

The duties of the trustees, are to superintend the school, appoint a a teacher, and report the state of the fund to the meeting every year. The duties of these officers thus appointed, were all to be discharged, by January, 1828; the account of their stewardship was to be rendered in January 1828. Now at that meeting in 1828, when these trustees were to report, they did not report the state of the fund, because they called upon the treasurer to render to them the account, and he refused. He refused to give them a statement of the fund, and denied their authority to call upon him. Appointed as they had been, by the whole body, they called upon the treasurer to render the account which he was bound to render, and he denied the

authority of the body to call on him for that account. When they made a report to the meeting, what was the situation in which they were placed? Here was their treasurer, who was appointed and held his office at their will, whose duty it was to render an account to the trustees, that it might be laid before the meeting, utterly refusing to perform this duty, thus refusing the whole meeting. This meeting seeing matters so, had a right to appoint another treasurer; that right is not denied, and is admitted by the chief justice and Judge Drake; and under these circumstances, if lawful, a lawful meeting, they had a right to appoint another treasurer. The difficulty is not that the meeting had not the right to appoint, but, that the meeting itself was not a lawful one: there was a vacancy in the office; the treasurer refused to discharge his duty and therefore there was a vacancy which must be filled, and they appointed Stacy Decow.

In December 1827, Joseph Hendrickson their treasurer had withdrawn from the meeting, denying its jurisdiction over him; he not only refused to account for the money, but he withdrew from the meeting. We are therefore left without difficulty as to the appointment of a treasurer. In December 1827, James Brown, who was regularly appointed clerk, and had all the authority of the clerk which the united meeting could give to him, was there in the discharge of his duty, the orthodox party together with the rest of the meeting having appointed him, and given him all the power and authority, which they could give to any clerk. He had not been disowned; no member of that meeting was disowned; the meeting itself was not dealt with; it was in full connexion with all the other meetings; it stood therefore unimpeached, with all its rights and character, and had a perfect claim to all the privileges which any meeting could have, in connexion either with Arch or Green street meeting. None of them had dealt with that meeting, its validity was not called in question; and therefore when Hendrickson withdrew from that meeting, it was a preparative meeting of both parties of the society, unaffected by any thing that had taken place. When the clerk had taken his place, he was asked (I forget whether it was by my friend Craft or not, I believe it was,) whether he acted "in connexion with the regular yearly meeting at Arch street;" a long chain to get at it. James Brown said he was clerk of *this meeting*, and then the propounder of the question with some others, including Joseph Hendrickson, went away and left the meeting; and I put it to your honors to say, whether the officer of the meeting has a right to desert it in this way. What right has he to do so, and to sit in judgment and say, "I leave your meeting, this is not the true preparative meeting." I say sirs, he had no right, it was an impudent assumption on his part. How is it to be determined, whether that meeting was the legal preparative meeting or not? Is it to be done by Craft or Hendrickson? Are they to say that this is not the right meeting? Where did *they* get *their* commission? They have abused a certain individual who has spoken under the principles of the society,

who said he had received his commission from Heaven. Where was their commission? They had no such authority; it was an impudent assumption on their part, of power which they had no right to exercise. By what authority did this officer denounce the other part of the meeting? He had none sirs; when he did that, the meeting was in full force and authority. No meeting can cease to be a meeting, until laid down by the will of those who formed it. In making this assertion I but adopt the principles of the opposite party. We differ as to the mode of laying down; but this meeting had not been dealt with at all, and according to their own principles it was a perfect meeting. Hendrickson had no right to leave the meeting and behave in this way; he should have surrendered the money and the office; that was his duty as an honest man; and sitting in judgment upon him, unless he acted in that way, I would pronounce that he did not act like an honest man; he should have restored the money and let the question be settled either by the authority of the country, or the society of friends.

I refer your honors to the testimony of Samuel Craft, 1st vol. page 347, and 350; and Gaskill, and Brown, p. 314, and 326. These will give you the fact, that not only Joseph Hendrickson withdrew, but a small minority withdrew with him, leaving the clerk, with the meeting in full operation. I beg you to recollect that fact, because upon that principle several of the cases relied upon by the adversary, were founded; it was the minority going away from the majority, leaving the meeting in full effect. They say we are to lose our rights, because we leave Arch street meeting in full operation, the clerk, and the other officers of the meeting at their duties. Well now must they not lose the property if they leave Chesterfield meeting in the same way. The principle which they say is to govern in relation to the yearly meeting, will deprive them of this fund. I do not mean to rely on their principle, but I am willing it should be applied. They say that we have lost all our rights, by leaving the yearly meeting in Arch street. Then, I say, Samuel Craft, and Joseph Hendrickson, and those who went with them, leaving Chesterfield meeting in full operation, left all their rights there, and have no claim, in law or justice, to this school fund.

SECOND-DAY AFTERNOON, 3 o'clock.

I attempted to satisfy your honors, this morning, that in the proceedings of the preparative meeting, Joseph Hendrickson, the treasurer of the orthodox party, had withdrawn himself from the meeting itself, not only surrendering thereby, all right and claim to the office of treasurer, but creating a vacancy which it was the absolute duty of the preparative meeting to fill; that he had spurned the authority of the meeting which gave him the appointment, and had withdrawn with a minority of the meeting, and that the appointment of Stacy Decow was a regular and legal operation of that meeting. The office of Hendrick-

son was at an end, and there was no treasurer at the time Decow was appointed.

You have had presented to you, the case of Purchase meeting, in the State of New York, in which the principles were laid down, as establishing the legal claim of one of the treasurers. In that instance, I am willing to receive the doctrine laid down by the judge, in the State of New York, in one point, because it cannot be resisted. But I am not willing to yield much weight to that opinion. It was an appeal from the judgment of Judge Emmott, whose name alone carries to every mind a force, which is carried by very few other men in this country. His judgment was refused by the higher court only in one point. That opinion which was throughout in favor of my clients, was eventually or finally reviewed by a single judge; and it is therefore but *judge against judge.* And I am perfectly willing to place the opinion of Judge Emmott by the side of the other, and let any intelligent lawyer draw his conclusions according to their merits, as they deserve. But Judge Nelson admits the position which I have taken before your honors. In Purchase preparative meeting, the orthodox party had withdrawn with the clerk, leaving a majority, with the treasurer; and Judge Nelson lays down the doctrine distinctly, that the treasurer appointed by the meeting that has the clerk with them, was entitled to the office and the money. Now if he is wrong in his general opinion, that opinion ought not to operate against my clients; but he is right in the great commanding fact of the case.

In p. 97, he says, "If we look at the constitution and modes of proceeding of the monthly and preparative meetings of the friends, as detailed by the witnesses on both sides in the case, I cannot entertain a doubt that Thomas Carpenter was legally appointed the successor of the plaintiff, in the office of treasurer of Purchase preparative meeting, on the first of January 1830. It is said that the monthly meeting in June 1828, under which the Purchase preparative meeting was held, was not the legitimate one, and that the latter, according to the system of the meetings of friends, was therefore held without authority. The fact is otherwise, if we regard the only account we have of the rules and practice of their proceedings. H. Griffin was the clerk of that meeting. This office is the most important one belonging to it. He decides all questions that arise, after hearing the discussions and opinions of the members."

You will observe, therefore, that Carpenter, who was declared to be the officer entitled to this money, was appointed by the meeting which had the clerk with them, without the previous treasurer having announced his allegiance to the meeting; that being the legally constituted meeting, they had the right to make treasurer whom they pleased.

Well, apply that principle to us, and it is all that we desire. Here was a treasurer who had deserted his duty; he refused to account for the money in his hands, and was no longer a member of their body;

and under these circumstances, they were under the necessity of appointing Decow their treasurer; and Decow, under the authority of this case, is to be entitled to the money. And this case, is, so far, with us. Judge Drake, himself, admits it, and refers to precisely the same thing.

In page 61, near the bottom, you will find the following words "It appears by the testimony, that on the twenty-seventh of December, A. D. 1827, the Chesterfield preparative meeting of friends was divided, by the minority of the members, assembled at that time, withdrawing to another house, leaving the majority with the clerk, at the usual place of meeting. They continued their business there; and the minority organized anew, or held another meeting, having appointed a new clerk to act for them."

He further says, "If this preparative meeting were an independent body, acting without the influence of any conventional principle operating upon this point, the act of the minority on this occasion would not affect the powers of the majority who remained in session; however it might expose itself and the members composing it to disabilities. But the right to make appointments, and to exercise the other functions of the preparative meeting, would still continue with the larger party."

And he refers to those cases, 7 *Serg. & Rawle*, 460; 5 *Binney*, 485; 5 *Johnson*, 39; 1 *Bos. & Pul.* 229; 2 *Dessausseure*, 583; 16 *Mass.* 418; to which I desire the attention of your honors. I had intended to read them, but it will not be in my power to do it. If you will look to those cases, you will find that principle sustained most fully. The case in Massachusetts, I shall examine in another aspect of this cause.

Judge Drake, himself, admits that if this preparative meeting was acting without the influence of any conventional principle operating upon this point, that it would still retain the right to make appointments, and to exercise the other functions of a preparative meeting. Now did this preparative meeting act under any conventional principle, which should destroy its power? Where is that principle? It can be only that it was subordinate to the control of another meeting, and that other having denied to it the power to act. But there is no such power. And I now call, as I have done from the commencement of this argument, for that conventional principle which can operate on this, and for the discipline or principle of law or common sense, which shall prevent this simple, legal, proper principle from operating in regard to this case. I have, therefore, Judge Drake with me in this part of the case. And, sirs, in other respects, Judge Drake is very erroneous in his views respecting the discipline and the money. So that, in fact, I have him with me from the commencement to the end of my argument. If Joseph Hendrickson's office terminated, his right to this money ended; and it cannot be invested in him by any authority from other quarters. And now, this great principle of the infalli-

bility of the clerk comes, and if we admit his infallibility, we have the decision in our favor. We had the clerk. James Brown was in our favor. He said that the "*solid sense*" of the meeting was with us; and if you render the clerk infallible, (I do not admit it,) but if so, we have the argument in our favor. I care not, in what aspect you view this case, Decow is the rightful treasurer. This conclusion appears to me to be the plain result, if this was the preparative meeting of Chesterfield.

Now, sirs, it professes to be the preparative meeting of Chesterfield. It professes to be so. This is another aspect of this case. The court cannot look beyond the character which it assumes, and maintains. Religious societies can only be judged by their profession, and not whether they live up to their profession. And this principle or doctrine will and must apply to every denomination of christians. If a presbyterian society professes to submit to the government of that church, and declares that is the church to which it is united, no court can look further. If they do, they look to the conscience; you must take and judge them according to their profession. Take the presbyterian congregation of Trenton; that regards the confession of faith of the presbyterian church. How can you interfere with that declaration which it makes, and test the declaration in such way as to destroy its character? If it will withdraw from that standard, and declare that it does not take that confession of faith, then, you have something upon which to act. But so long as it professes to remain or belong to that denomination, you cannot take its character away. If so, show me where your right to do so, is to be found. All religious societies are to be judged by the profession which they make, and you cannot go beyond that *profession*, to prove it. You cannot inquire whether they live up to that profession of faith, or not; you have not the means to do it, or the power, without the prostration of the fundamental principles of our institutions.

This preparative meeting then, professes to be a preparative meeting of the society of friends. It was acknowledged in the preceding year, as a regular preparative meeting. It was composed of the same individuals at this time, that it was composed of before; and these were altogether unimpeached. It was not disowned. It had not been laid down. No accusation was made against it, by its superior meeting. Joseph Hendrickson had, up to that time, performed the duties of treasurer: but then he ceased to be the officer. Has the meeting since been laid down? When has that meeting ceased to be a preparative meeting of friends? It cannot cease without some act of its own. It cannot be exiled from connexion, without somebody having done it. And it must be done by somebody who has the right and power to do it. Do you find any thing in these two large volumes of evidence, showing that it ceased to be a preparative meeting of friends? Has even the *new* monthly meeting of friends of Chesterfield, ventured to bring this monthly meeting to an account? Admitting that they have

the right, they have not done it. The small band and proportion that withdrew from the monthly meeting, have never called the right in question. And now we are told that we cannot hold the property. Can the congregation be exiled from the church, without the church having acted in the case? Why surely not. Well then, this congregation stands unimpeached before the society. Why the monthly meeting of orthodox, have not undertaken to lay it down. No, and it is not laid down; and here they acknowledge before the whole world that this meeting is a preparative meeting of the society of friends, and yet they come here, and want the society to give up its rights to the property. Is not this absurd? But this society, this preparative meeting profess to continue to be *friends*, and there is no authority here or elsewhere, that can interfere with it; and I have already answered this question at considerable length, and I hope to the satisfaction of the court. Does a part leaving the meeting dissolve it? That is answered by Judge Drake, and must be answered by every man of ordinary intelligence. Ten or twenty cannot destroy it by leaving it; if they could, there is no such meeting as that at Arch street, and that has been determined long ago.

Before I proceed to another inquiry, I simply desire to recal your attention to the consequences of the pretence, set up by the orthodox party. It would violate all justice and right, if by a number withdrawing, they could take away all the property. They who remained have subscribed £255, and those who have withdrawn £84: the proportion is, as three to one. By this, the same proportion of poor who are to be benefitted by the fund, and those who are to derive advantage from the school, would be deprived of its assistance. But I must pursue that subject further.

Let us test by facts, the question of subordination and connexion. If there be any power which can affect this preparative meeting outside of the meeting itself, it must be the monthly meeting, and no power of a higher meeting could reach it, except through their monthly meeting. Well, if that be the case let us look what have been its proceedings.

The same persons who composed this preparative meeting, with a number of others composed also the monthly meeting; this is one of the preparative meetings connected with, and forming a part of the monthly meeting of Chesterfield. Now if this monthly meeting can interfere with this matter of property, it must be in their capacity as members of the monthly meeting. For in the capacity of members of other meetings of any description, they have no pretence of right. It is as members of the monthly meeting that they can interfere, if they can interfere at all.

Now in the first place, does the trust itself authorize any such interference? You will not have forgotten the view which I presented upon that point. And it was perfectly plain upon the face of that instrument, that there was no authority given in any form, for the monthly

meeting to interfere with this property. I also examined the Discipline, to ascertain whether it had given to the monthly meeting, any right to interfere, and there is nothing there which authorizes its interference. How then can it interfere? I ask the question, how can it interfere? If it be found neither in the words of the trust, nor in the Discipline, how can it do it? Suppose that preparative meeting had loaned the money to me, instead of Shotwell; could that monthly meeting have interfered, and have said, "you shall not loan that money to him?" The answer would have been, "it is none of your business." I repeat again, sirs. How can that monthly meeting interfere?

I have the decision of that monthly meeting itself, that it had nothing at all to do with it. What stronger evidence can be wanted, than the decision of the monthly meeting itself, upon that point. From the time when this fund was created, there is no instance where the monthly meeting has ever interfered with this meeting. I go further. I challenge the production of a case, where there has been a direct interference by a superior meeting, with the property of an inferior meeting. And I will tell you that during the number of years which that fund has existed, the right has not been exercised. And is not this proof that it does not exist at all? There has never been in the multitude of cases, which have for so many years existed, and among the many meetings which have existed, such a right exercised.

In the declaration which I now make, I have not forgotten the case which has been referred to in Baltimore. That case is a very simple one. There had been a monthly or preparative meeting in the eastern end of Baltimore, and after a time there was another meeting set off from it; and they forgot their character as friends, and quarrelled about the property. The new meeting wanted part of a lot; the old said, that under the laws of the state, they could not let them have it; and thus upon the construction of their grant they differed. They agreed to refer to the quarterly and yearly meeting to settle it between them. And when it was carried to the quarterly and yearly meeting, they decided in favor of the claimants; and that the statute of the state, and the words of the grant, did not prevent them from coming to take part. The old party refused to yield. In consequence of the fact that they had submitted to the jurisdiction of the yearly meeting, so far as to refer the case to it for settlement, they should have submitted to the decision which it made. The yearly meeting said, "this is not the conduct of friends, and you ought not to act so; you must submit to this decision, or it will be an evidence that the bond of unity is broken." They ought to have said, "if you do not do it we will disown you;" but they sent down their decision, they requested the meeting to yield, and at last it did yield to it. Here it terminated. It was but a small meeting, and most of them united with the yearly meeting. If that meeting had been laid down would it have lost its propety? No, sirs, it would have held it to this day. When they came to act, they never affected the property in controversy. It is left to the very men who

originally claimed it. And this proves the very position which I have taken in this case.

But, sirs, we have another circumstance in connection with this. We have the direct decision of the monthly meeting of Chesterfield, that it had nothing to do with the school fund in question. This preparative meeting embraced the meetings for worship of Trenton and Bordentown. The preparative meeting in Trenton, when established, applied to the monthly meeting for a portion of this school fund. Some of their members had contributed something for the creation of this fund; and they applied to the monthly meeting, and Samuel Craft, who is often referred to in this matter, was one of a committee appointed to consider the subject; and that committee reported to the monthly meeting that they had no control over that matter at all. What more can be desired in relation to the authority of the monthly meeting over the preparative meeting. They said that they could not divide this fund. But they advised, that when friends of Trenton should be making up a school fund, they should be kindly remembered by their friends at Chesterfield.

I. H. Williamson. The gentleman is wrong in point of fact; and we can show it.

[Samuel Craft, at this time left the court, to procure the book of records.]

S. L. Southard. If I am in error, I shall be glad to be corrected; but of one thing I am sure that I cannot be in error; the committee thought it was proper that the monthly meeting at Chesterfield should aid friends at Trenton. And in another matter; they did not require of the preparative meeting to give any portion to aid them. And I now ask why was that so? If the monthly meeting have such rights, they have not exercised them. And if they have not such rights, then none have them.

But there is another extraordinary fact, if I am correct. And that is, after the monthly meeting declined to act, this preparative meeting itself, disposed of part of the fund, by returning it to those who subscribed it. Upon what principle did they do it? When it was proposed to the monthly meeting to interfere, and divide that fund, they decided that it should not be touched; and yet the preparative meeting did not act upon it, but returned part of it to those who subscribed it. Who then has the decision and control? There can be but one power.

But admitting that the monthly meeting had this right, and this power; admitting that I am wrong in all this matter, what is the situation of the monthly meeting in relation to it? The monthly meeting is with us in the matter. The monthly meeting is with us. Until the eighth or ninth month 1827, there was no division in the monthly meeting. All met in one meeting-house, there was no division. In the ninth month, a little before the close of the meeting, a certificate for a person removing to Philadelphia, was applied for, to Green street

meeting. In consequence of the objection made by some one there, as to the propriety of giving a certificate of removal to Green street meeting in Philadelphia, the application was for that time withdrawn. In the tenth month it was renewed, and the clerk declined to act in the case. That clerk, was David Clark, a most worthy and respectable man, and he knows that any comment I make on this subject, does not come from any unkind feeling towards him; he also knows that in all the relations of life, I maintain the utmost respect for him. But, sirs, in this matter he acted incorrectly, and erred most grossly; he refused to act in this matter, and his refusal was a cessation of the office. He had no authority to set there any longer.

[Samuel Craft returned with the book of records.]

I have now the minutes of that meeting and will read from them.

S. L. Southard, here read the report of the committee alluded to, and the names of those who signed it.

Now, it is seen that the terms are what I stated them to be. This committee were of the mind, that the meeting had no power to divide any part of the subscription. Now, sirs, is not this a denial of the right and power of this meeting to interfere with that fund. I can consider it in no other light, than that in which I presented it to your honors.

I. H. Williamson. The gentleman said, that they said they had no power to *control* the fund; that was not what they said.

S. L. Southard. The distinction of the learned counsel is this. They report, that they have no power to *divide* any part of the subscription. He has represented, that I said, that they reported they had no power to control the fund. If they had control of it, I should like to know why they had no power to divide it. In the report, they recommend that Trenton friends should be kindly regarded; thus conveying the idea in the only mode in which quakers convey ideas, that they are entitled to justice in the matter, and yet they cannot give them a part of the fund, because *they have no power to divide it.* The gentleman is welcome to all the advantage he can reap from the distinction, and to all his acuteness of observation upon the subject.

I. H. Williamson. The gentleman said, that they had no control over the preparative meeting, and we deny his proposition.

S. L. Southard. The gentleman has come to a most extraordinary conclusion now. I have been talking about the control of *property*, and the counsel must have misunderstood me. I am speaking of subordination or connexion in relation to property, and say that it does not exist.

I. H. Williamson. We contend that no court has the power to divert a trust from the persons to whom it was intended, or the purpose for which it was subscribed.

S. L. Southard. I am a very stupid fellow, and often fail to under-

stand my adversaries; but I will proceed with my argument, and I hope in this matter, I shall leave no question of doubt as to the application of the principles of law to these acts.

I believe I was speaking of the clerk, at the time I was interrupted. He declined to act. There was then a proposition made to appoint another clerk. He then made a hasty minute, read it, and did not wait in the order of society, but withdrew with about one third of the members with him. Here was this meeting, engaged in the ordinary way in the transaction of its business, with the clerk at the table. A matter comes up for decision; he refuses to act; and the meeting is put to the necessity of appointing another clerk. And while they are preparing to do that, what does he do? Yield to the meeting? No. But he makes a hasty minute, without the will of the meeting, for he had not asked it; he reads the minute and with about one third of the members leaves the meeting. Is this proper conduct for a clerk? No sirs. Passion, prejudice, and party bigotry, had overcome the feeling and judgment of that worthy man on that occasion. And he did not act with that propriety and uprightness that he ought to have done. What right had he to make such a minute, when the meeting had not determined to adjourn, without waiting upon the great governor of the society for his light and direction? What right had he to make this minute, and leave the body? He had none sirs. It was a gross act of violation of his duty; but it could not destroy the meeting. Its legal existence is not to be destroyed by such acts of impropriety on the part of individuals, or by the misconduct of the clerk. He went off; and the principles which are laid down in regard to all that matter, apply here with all their force. The monthly meeting was not destroyed by that act of the clerk. What were they to do? they were under the necessity of appointing another clerk; and Jediah Middleton was appointed. The certificate which was the subject of controversy was given. This, your honors will see, was in the tenth month. In the eleventh month, after worship in the ordinary form, the temporary clerk of the former meeting read the opening minute, and the committee then reported the name of an individual to serve the meeting for clerk. This was in the order of the society. It was opposed in the first instance, and there was a great excitement and dissention produced there; not by members of that meeting, but by strangers who came there to interfere with the management of the concerns of that meeting, and to dictate to them what they should do on that occasion. I admit that quakers are every where members of the society, and that a quaker in Chesterfield, is a quaker in London. This is a great principle which makes them all brethren. I admit this, but that was an impudent interference with the business belonging exclusively to that meeting. When before this, did strangers ever dare to interfere with any meeting, in the matter of clerk. I do not believe that it ever existed before, since the establishmeut of quakerism. I repeat sirs, that it was an impudent interference on their part. They had a right to

partake of all the pleasures and benefits of the meeting, but not to interfere in that way. They had no authority to do so. It is the first, and I hope it may be the last act of the kind.

But, sirs, this interference of strangers did not prevent them from proceeding with their business. The nomination which was made for clerk was considered and approved of by the meeting, and they chose to proceed in the ordinary mode with the transaction of their business. Those very people who interfered had departed from the monthly meeting and had gone off. Why did they make their appearance there again? They had no business there. It was an improper meddling with business which was not their own. They had broken all that bond of unity which existed between them.

Friends finished the business which they had to do in the order of the society, in the usual mode, and then closed their meeting. They were then desired by those few who withdrew at a former meeting, the great majority were desired to withdraw and leave the house to them. They said, "no, we do not choose to," and because they did not withdraw, the orthodox opened their meeting there and adjourned until the next day. Now you have heard of the disorderly conduct of the Hicksites. I cast this back upon the adversary. It is not ours, it is theirs; they are the disorderly party. In the twelfth month, when friends came there they found this small party there, and although they had a right to push them out of the house, yet they sat actually waiting for them; they would not interfere with them. This is another evidence that they are the orderly portion of this society. And soon the orthodox concluded what they had to do. They then organized their meeting, and went through with the regular business of Chesterfield monthly meeting. In the first month 1828, the orthodox requested friends to withdraw, and then, they adjourned to Sarah Chapman's. Aware of the true state of things, they came there for one of two purposes. They knew that the great majority would hold this property. Their object in thus appearing, was either to disturb the monthly meeting of friends or to cover their own doings by the mere form of an adjournment. They may take it and put what construction they please upon it. They came to disturb the monthly meeting of friends and create difficulty, or they came there for the purpose of creating a form of adjournment, in order that the warning that had been given about the property, might be carried thoroughly into effect there, according to the direction of the lawyers.

Now I ask who was the monthly meeting? The majority who went on with the business of the monthly meeting, or the small party that came to disturb them in this way and that acted in such a disorderly manner? They acted in such way as ought to deprive them of all their right to the property. We believe that by this they lost their right. But we do not desire that. We believe that they who left Chesterfield meeting in this disorderly manner, have deprived themselves of all right to this property, and to its government and control. And

sirs, we do not deserve to be abused and insulted, as we have been, with all the opprobrious epithets which ingenuity, talent, and eloquence can throw upon us. For we instantly went to them and tendered to them the full amount of their proportion. This was our language to them. "You have aided us in procuring all this property, and in proportion to numbers, we will give you your share. It is right, and justice, and natural equity, and without regard to law, or to any thing else, save justice, we offer you what is your proportion; take your share." What sirs, did we receive? Nothing but scorn; that is all that we got; their language was, "you are heretics, and we will not deal with you." And here we are for the purpose of preventing them from executing their designs.

Another monthly meeting has been set up there, sirs; but I trust that I have shown, that it cannot affect our rights. But if it does, then I beg you to look at Arch street yearly meeting. If they have a right to go to Chesterfield and set up another meeting, why may not another yearly meeting be set up in Philadelphia, embracing the members of Pennsylvania, New-Jersey, and part of Maryland? I did hope that the counsels of the orthodox party, would have explained the distinctions between these cases, and would have shown how there could be a monthly meeting within a monthly meeting, if there could not be a yearly meeting within a yearly meeting; and the very argument upon which they rely, destroys without hope of redemption, all possibility of their claim upon this property of Chesterfield. But I ask again, could that monthly meeting be destroyed until it was laid down? I mean the one monthly meeting in Chesterfield. Where in the discipline do we find any thing to justify that? Well, has it been laid down? Has it been dealt with? I make this inquiry in regard to the monthly meeting, and must it not retain its existence, until the act is executed upon it by which its existence is destroyed? The old meeting remains, then, and cannot be destroyed until that superior power shall bear upon it, until it is sufficient for its destruction. This meeting is therefore in full force and power, and is competent to hold property. Is it not sirs?

But of its existence. And here is another distinct proposition. Now, sirs, if the existence of this meeting, depends upon its union with Arch street, I wish to say, that no yearly meeting of Arch street had yet met, wherein its rights were fully invested. Admitting that we held our right to this property or school fund, upon the condition of our connexion with Arch street yearly meeting, when this transaction occurred, there had been no meeting in Arch street by which we could by possibility be controlled or dealt with.

And this new monthly meeting, has never attempted to interfere with this fund; even this new one, with their runaway clerk, has not attempted to interfere; and yet they come here to demand that our legal existence shall be declared at an end. And even admitting that this is the true monthly meeting, of which David Clark is clerk, they never have attempted to do any thing with this fund. It therefore stands unaffected by any act of any meeting. And this preparative

meeting if called to account, must be reported through a superior meeting. It must be done by the monthly meeting.

We are, therefore, thrown back upon the original principles which must control a case like this. In this case we claim the money upon these grounds.

Because the fund is ours, and for our poor. It is for that school, and we have that school under our control. It was subscribed by ourselves, and equity demands that it should be governed by our wishes. And as regards the discipline, it does not look to our faith on scripture doctrine, and only recognizes who belongs to the society of *Friends*. And such we are, not perhaps by the standards of Samuel Bettle and Thomas Evans, but we are *friends* still. We have never been disowned. There is nothing that can affect our rights, except that a minority have withdrawn in a disorderly way.

This brings the question of majority and minority, before us. We are not an incorporation. We have subscribed to no written articles. And under these circumstances, according to the views presented, we are to be judged in law and equity upon the principle of majority. Now with regard to this great principle, I shall not, after the argument of my learned associate counsel, which has remained untouched by the adverse counsel, detain you with authorities. I may have to consider the question at length; but my associate counsel has given the authorities, and explained the principles applicable to the cases. And with a trifling exception there has been no allusion to this argument. They did not touch his argument, because they could not. I will look to some authorities on this point, which I intended to examine and consider.

Grotius, p. 7; 2 *Kent*, 236, 498; 1 *Blackstone*, 478; *Locke on Civ. Gov.* 254; 1 *Wood*, 499; *Coke's Reports*, 66; *Hardress*, 49; 4 *Hen. & Mun.* 351; 6 *Sergeant & Rawle*, 170; 5 *Binney*, 485; 6 *Johnson*, 39; 1 *Bos. & Pul.* 236; 7 *Sergeant & Rawle*, 460, in the case of a school at Chesnut Hill, established for the use of the general neighborhood, &c. &c. &c. 16 *Mass.* 488; 6 *Serg. & Rawle*, 12; 6 *Serg. & Rawle*, 506, in which Chief Justice Tilghman speaks in the case of St. Mary's church.

I will refer your honors to these, but cannot read them, my time will not admit of it.

There is another case which I shall be compelled to examine after a while, as it was relied upon by the adverse counsel. I had noted it as a case on which I should rely for the support of my position, and I shall be under the necessity too, of questioning the accuracy of his view.

This principle is most fully established by the authorities which I have given. I think you will agree with me. The majority of this meeting was with us, and I apprehend that upon this ground, we are safe; but this, as settled by our adversaries is a slight barrier with them. Although there is no external power to interfere, although the majority is with us, there is a very easy, and certainly a very adroit mode, for them to reach the result. It is to *lay down* a meeting and

disown enough of the majority to enable them to get the property. I do not mean to discuss the position, that if the few are dissatisfied with the many, they shall turn out and disown them from the society and take away the property; I say, that I cannot consent to detain the court by an argument upon this position. Is it possible that any human mind can believe, that where there is a secession of individuals from a meeting, that they who thus secede, have a right to the property; that that portion should disown the others, so as to give themselves the right over the property? If I were for a moment, for a single moment, to admit there was any thing in this principle, and attempt to discuss it, I should disgrace the whole character of quakerism; I should not talk of quaker honesty, simplicity, and plainness, but of quaker trick and cunning. This is the language that should be applied to those who adopt an argument like that.

And now, may I be permitted again to call back to your honors the facts and principles in this case. Here comes in that principle of *escheat to the society*, which I referred to this morning; but with regard to that, I have to say that it can exist only where there is *extinction*. Even where Thomas Evans' principle is true, it must be only in such cases. *There is no such extinction of this meeting;* it exists. I recur again, and recal the recollection of your honors to the position of my associate counsel, who has relieved me by the course he took. There can be no change that can affect property. Whether you regard it as a political institution or a civil institution, we cannot alter property and take it away from individuals. It runs throughout all the powers of political government. It operates upon nations, as well as individuals. A change in government itself never changes the property of a citizen.

I refer the court to 1st *Wheaton*, 282; 6 *Cranch*, 198; 8 *Wheaton*, 481; 5 *Sergeant & Rawle*, 147; &c. &c.

And the result is, that an inferior meeting must hold its property, no matter what yearly meeting it may be connected with. But we remain subordinate *to the same yearly meetings;* and in bringing up the next great inquiry in this case, I hope to show it conclusively.

Here, upon this view of the case, in the examination of the proceedings of the preparative and monthly meeting, I believe this controversy ought to end, so far as we are concerned. It appears to me, that courts of law can go no further, than the inquiries already made; and if I could dare, while representing interests so extended, and while speaking for feelings so deeply interested, as are those of my clients, to rely upon the dictates of my own judgment, here I should close this inquiry. This question ought to rest here; here the great principles applicable to this case find their termination. But, sirs, we are driven to this inquiry. All that I feel any inclination to do, is earnestly to protest against the necessity of an inquiry into matters so extraneous.

We profess to be quakers, and refer you to the scriptures for our belief; and beyond this no earthly power can go; and beyond this no

cognizance can be taken of our conduct, by a court either of law or chancery. We do not deny, nor have we denied that there are cases in which a court may look into the trust, and where it is made to depend upon certain legal principles; where there is a clear and distinct trust, then courts may look to religious opinions. We are made secure by the terms by which the property is held. I shall not follow the counsel into his investigation of the civil law of Elizabeth, I care not what are the conclusions to which your honors may come upon that portion of his argument.

We are told sirs, that we are to lose our rights, notwithstanding it is admitted on all hands, that the facts, so far as Chesterfield and the meetings there are concerned, are with us. We are to lose our rights, in consequence of our error, in not being connected with the yearly meeting of Arch street. I am driven to look into that yearly meeting and to determine, what were the rights of the parties in that yearly meeting. And in the examination of this subject, dates are matters of importance, and I shall endeavour to take them in order. But in this consideration, I beg you to take with you, the single and only tie which binds the quaker society together. To take with you their principle of unity; the moment that is lost the society becomes destroyed, and it is dissolved upon the dissolution of that bond. I have explained anxiously, the view which I take of that subject, and I hope, sirs, that I was clearly understood. And I beg you to take it along with you, because here was the great error of Chief Justice Ewing and Judge Drake. And they treated all the acts in that meeting, as if it had been a common institution of presbyterians, or episcopalians, or baptists. And did they not err in this matter very grossly? They forgot in all their investigation, from beginning to end, that they were talking of a peculiar society, who had a peculiar bond of union, and they talked about it, as if they were considering an incorporation under the laws of the state, with the terms before them. All the legal principles which they have presented have reference to such matters. It was for this reason, that I detained you so long on that point, in the early part of my argument. They overlooked the legal principles which govern this society. The principles which they applied, would have done for the presbyterian church of the society of Trenton; but it was the application of them to this society, that drove me to the necessity of going into that lengthened discussion of the principle and bond which unite this society together. It appears to me, that the chief justice forgot what a yearly meeting was; he speaks of it in the same style, as if it was a society of men, collected together by argreement, at a given place and time. He speaks of their worshipping at the same ancient temple in Arch street, and talks of others withdrawing and going up to another mount. This was beautifully written, but had nothing like applicability to this society. It would have done if some of those alluded to, had left a presbyterian church and had gone to another building. What is the yearly meeting? Does it consist of

Arch street meeting-house? Is it the place where, or time when, they meet? It is the collection together of the members, no matter when or where. It is the meeting together of the *great body of the society of friends*, who agree to hold such a meeting; wherever they are collected together, there is the yearly meeting, whether they be in Arch street or Green street; in Philadelphia, or Burlington. Have our orthodox persuaded themselves that the yearly meeting must be in Arch street? No, they know better; they know it is not so. A yearly meeting of the society of friends, is a meeting of the great body of the society; and it matters not, when or where they meet, or whether they meet in April, June, or October; still, if it is the great body met together, it is a yearly meeting met together for all good purposes.

Samuel Bettle tells you, that three meetings met in 1798. They were not all held in the same place or in the same month. Every thing done at them was valid. It was because the society itself, had met there, to transact the business of the great body. It was not the time and place, that made the yearly meeting. Why, sirs, suppose that the orthodox friends when they go to Arch street next spring, in the month of April, (and it is not impossible, for such things have been done,) should find that the monthly meeting refuses to let them go in to hold their meeting; would you suppose that they would think their yearly meeting dissolved? Suppose it was opened to heretics and barred against them, they might go to Green and Cherry street and hold their meeting; it would still be a yearly meeting of friends. It is not the *house* or the *time*, that constitutes the yearly meeting; am I not right? Supposing next year if they go they should be prevented from meeting in Arch street house, they would have all the validity of a yearly meeting. Well that yearly meeting still exists, and exists independent of time and place. But suppose it should be so in the dispensations of Providence, that friends could not reach the city on the second second-day in April, and they were to come on the third or fourth second-day of April; would it be a yearly meeting according to the argument of the chief justice? And according to the ideas of the learned orthodox gentlemen, their rights would be at an end; and there would be an escheat of the property, according to Thomas Evans. It is an absurdity. It is not time. It is not place. It is the high controlling power of the whole body. It is the people in their original and sovereign capacity that meet together for the transaction of their business, or concerns connected with the duties of a yearly meeting. And wherever they meet, this sovereign power still exists, and they still have the power to determine what they will do, and none of all their legal powers or authority are taken away from them.

This principle must be applied to this and every other institution. Apply it to the assembling of the bishops of the episcopal church. Can they not meet elsewhere if they should not be able to get to their usual place? Take the presbyterian assembly which has adjourned to meet

near this quaker meeting-house, and provided they cannot meet at that place and at that time, is this general assembly to admit such a position. Would they consider that they had no right to meet elsewhere? No, sirs; and these orthodox gentlemen would not acknowledge such a position. Their only object is, (and this is the only means they have to effect it,) to deprive us of our property; for this, and this only, they make a pretence so absurd and unsubstantial.

But there was another great error by the learned judge who examined this case. It was this. He leaped at once and directly into Arch street meeting-house and saw what was going on there, without taking into consideration all that had previously occurred, affecting the bond of unity in this society. From the peculiarities of this society, he should have investigated fully those transactions which had occurred beforehand, and which were calculated to break the bond of unity which once existed in this society; transactions which were calculated to produce such results. He should have understood the principle which belongs to this society: that principle is unity; and if that be broken without possibility of redress, before the meeting of the yearly meeting, it should be known, and should claim a close investigation; and it would then be seen that the bond of unity, without which the society would be dissolved, was broken. The chief justice has fallen into a most mistaken view of this question. He goes to the yearly meeting, and omits all investigation relative to the principle without which, the society is as nothing. The circumstances under which that yearly meeting met, in this inquiry, have been too much overlooked. No man can decide this question, who does not take a different way in investigating it. He must go back and take step by step; he should know what had occurred in this meeting; he should know with what temper and feeling they came together; he should know whether when they came there, the bond of unity had been torn and destroyed, and whether they met with that proper feeling which ought to have existed, to make it a valid yearly meeting. And to this inquiry I beg you to submit it yourselves.

If your honors please, it is not necessary to detain you by presenting an exhibition of the condition of this society, for many years previous to the time, when the difficulties arose in Philadelphia. It had been in quiet for the last century. Its discipline had been in regular action. There had been no difficulties in the society since the Keithian controversy. That was done away; and they dropped into an inanimate body; they will pardon me, I mean it for both sides. Their feelings were relaxed. Wealth had flown in among them. Peace had enfeebled them. Oppression and persecution had not aroused their spirit. There was nothing which called for the exhibition of the brightness of their faith, of their firmness, and of their fortitude. And in the progress of events in this society, a few men had grown up, and had an influence over the body; this influence was extensive; and in consequence of this circumstance, connected with a passion for pride,

and a spirit of haughtiness greater than became the quaker faith, and having been accustomed to govern in this society, they carried their measures beyond the spirit of the discipline and the institution. And when they did that, it was felt. There was rebellion against it. They were not willing to recede from the strong position which they had taken. They had power. They felt it, and were unwilling to part with it. And in language perfectly justified by the facts in this case, they were determined to "rule or to rend" this society.

And the first fact with which they commenced had relation to Elias Hicks. And when I mention his name, I know well what will be the feelings excited on the occasion; but I shall lay all this aside for the present. I shall speak more freely of this individual before I have done. But while considering matters of discipline, we will keep him out of view; let us keep him out of sight except as a minister of the gospel; and while we are considering this part of the subject we shall consider him as a perfectly unimportant individual.

The first circumstance which occurred, was in 1819. Elias Hicks then came to Philadelphia, having regular certificates of his standing in the society, with which he was connected within the limits of the yearly meeting of the State of New-York. He was at that day, and that is all that I ask you to regard at present, a minister in good standing throughout the whole quaker world. Every body regarded him with kindness and favor. He was a preacher among them, and they were satisfied with him. He came to Philadelphia, and there, according to the testimony in this case, in *Pine street*, (the very centre from which has emanated all the difficulties in this society,) he bore his testimony boldly and fearlessly, on a particular subject. No question is made as to the religious doctrines he there uttered. He was induced, by the guide which he followed, to bear his testimony against slavery and the use of the product of slave-labor; and he brought that testimony home as strongly as he could, upon the consciences of all who heard him. Now, in relation to this subject, your honors will remember it was not his *religious doctrines* that gave the first offence to the feelings of any of those gentlemen in Philadelphia. Whether it ought to have done it or not, I know not, nor do I care. I know nothing of this, and I care nothing about it. He had a right to bear that testimony, because it was in conformity with the faith of his society, and no man had a right to take offence. But there was one there who did take offence. You are told who that was; it is not necessary that I should repeat his name. I am willing to admit that he is a pure, honorable, correct, and virtuous man. But he had once denied the right to use the produce of slave-labor; aud he had fallen from that testimony, or rather, in the language of the society, he had let his testimony fall. He felt deeply the attack made upon him; he might very possibly have thought that Elias Hicks pointed his finger at him, conscience is a great sharpener of the eyesight, and if he felt this, he might have suspected that Elias Hicks intended or meant to have attacked him. All that I have to do

is with the consequences of the fact. He said he had a *painful time* of it. It is either Halliday Jackson or Abraham Lower, that states the fact. And whether he ought to have felt this testimony, is a matter of no consequence. And, if your honors please, there is not one single step in all the attacks made upon Elias Hicks, from that day down to the day of his death, within the limits of Philadelphia, that he was not the prominent man in making. Now, this individual took his start not upon the *doctrines* of Elias Hicks; he took his offence against Elias Hicks not upon the question of believing or denying the sacrifice; he took his hostility not upon the question, whether there were three divine persons in the Godhead or not, but upon that testimony which Elias Hicks had a right to bear; and having taken that offence, in all the subsequent transactions, we find him the leader of the band in all that was done in relation to Elias Hicks. I say the original cause was not his *doctrines*. And it is an extraordinary fact, that the individual who took offence then, should be the leader of all the persecutions and attacks made upon him in other cases; and it was conclusive to the mind that the cause of offence was not *doctrines*, but they were used as a mere something to give support to the attacks made upon him. Well, what did he do after Elias Hicks had borne that testimony. Elias Hicks desired to go into the apartment where the women were assembled, that he might bear his testimony with them. It was objected to. Was it natural, was it in the order of society, for he had proclaimed no irreligious opinions, that when he should desire to go into the women's meeting, for any to object to letting him go? Was there fear that he would disseminate false doctrines there? No sirs. Was there even an instance of a similar character? I venture to say, that it stands first and alone. Why was this opposition made by this individual and others. One of the witnesses says, he moved first in it; and one, without denying that he moved first in it, says, that opposition was shown by another individual; but he was one of those who made the opposition. But Elias Hicks still went in. While he was in the women's apartment, (it was the common order of society for the men to wait until the speaker had finished, and returned to them,) this individual who took offence, and who had a "*painful time*," while Elias was bearing his testimony that day, moved that the men's meeting should adjourn. Thomas Evans, his son, testifies that the men's meeting had done, and they therefore adjourned. Others say that they had not done, and that they adjourned at an earlier hour than usual. Your honors must determine which of these you must believe; it is not for me to say which is correct in this point. All that can be said is that if they were not done, the violation of respect was greater, but the disrespect is the same in either aspect of the case. Elias Hicks in the order of society ought to have been waited for by the men. It is indeed said, that in the *yearly meeting* the men often adjourn, while the ministers are in the women's meeting; but you will recollect the distinction which exists in regard to the yearly meeting, in almost every instance with-

out exception; the men meet at one house and the women meet at another. But this is not so in the monthly meeting; they meet in the same building; and are separated by a single partition or by shutters, closed or opened accordingly as they are situated in relation to their business. Was it not disrespect shown to Elias Hicks? Why was that disrespect shown to him? It was felt to be so; Samuel Bettle said, (though since, one of the men who cast disrespect upon him,) that Elias Hicks was treated with disrespect on that occasion. All rebuked this conduct, it was rebuked by the orthodox. It was done not for Elias Hicks's *religious opinions*, but for the testimony which sat unkindly, upon the consciences of some of the members of that meeting.

Well, that produced a good deal of agitation. It was against the spirit of kindness which had always prevailed, and was contrary to the mode in which travelling ministers were always treated. And there was a motive not founded upon the doctrines uttered; none were put upon their guard when he preached there, against the views which he delivered. But there was a rankling sore which arose from other causes. Here was a violation of good order of which Jonathan Evans was at the head. The attention of those out of Philadelphia was directed to this particular matter.

This was not so trifling a matter as my learned friend regarded it. He asked, whether it was possible that they should feel such a matter? Yes sirs, every quaker felt that the bond had been assailed, that the order of society was broken, and my learned friend cannot mention an instance of the kind. He talks as if it was in a presbyterian church and some one was speaking in the session-room, and those in the church chose to go home; that would be showing no disrespect for the preacher. But that is not so in the quaker society; their feelings are different on that matter. But this thing was quieted down, and no serious breach or disturbance was created. They felt and talked about it. It was known to the utmost extreme of society, not only among friends, but orthodox. And after a little while it was almost forgotten.

But in 1822, two instances of marked character occurred, which left those who desired to preserve the order of the society, no avenue through which they could escape; they had to look to the support and maintenance of their discipline. By this time Elias Hicks had accusations made against him by *private note-takers*, who attended his meetings, and took from his sermons, expressions, here one and there one. Statements were made in Philadelphia and elsewhere, respecting Elias Hicks' doctrines, but without much effect. It had been represented by some in Philadelphia and elsewhere, that he had preached false doctrines; and others, who heard him, said these statements were incorrect.

There is one circumstance to which I will call your attention, which I think important. There was not before the world, at that time, any of this evidence which arises now from letters fraudulently kept back, against the profession of the parties, nor from the detail and testimony

of Comfort and Bell, and others. There was only a faint impression prevailing then, that Elias Hicks was circulating doctrines of such a nature. He obtained from his quarterly and monthly meetings, a regular certificate of unity from them, to go to Philadelphia and elsewhere, and there preach: he was also to go to Baltimore.

Before he reached Philadelphia, you are told by Abraham Lower, in Ev. vol. i. p. 355, that there was a meeting of the meeting for sufferings; that as he was going in he was requested by Samuel Bettle, to stop after the rise of the meeting. Now this fact proves two things. First, that at that day, this man, Abraham Lower, who was treated as if unworthy of confidence, and who has been the subject of the severe censure of the counsel of the other side, was one of the very few who were requested to stop after the meeting rose, when they had a matter of great importance to consider. He staid, and their confidence in him was such, that they would have believed him; and whatever change in their views and feelings towards him, there may have been since, the reason of it is, that he did not choose to go with that party in Philadelphia. And secondly, that this effort against Elias Hicks, was disorderly, and that they who planned it were ashamed of it. This is an important fact. This delay after the meeting for sufferings was ended, was not an ordinary matter, but a meeting private and select, which the great body of the meeting for sufferings, knew nothing about. If it was a matter in which doctrines were involved; if the church was to be dissolved and prostrated, as Elias Hicks was coming to Philadelphia to lay waste their Zion, why this privacy in the transaction of their business? After the close of the business of the meeting for sufferings these few remained. And then, this same individual, who, in 1819 had taken offence against Elias Hicks, (and not at his religious doctrines,) after the party was there, private and select, mentioned to them that Elias Hicks was coming among them and they must stop him. It is a strange coincidence; it is strange, that this individual should have felt pain at the deep testimony of Elias Hicks at Pine street, and should also have felt it necessary to lead the way against Elias Hicks. But so it is. This is a day of coincidences, and this is the strangest of them all.

Why attempt to stop Elias Hicks, in Philadelphia? He was entirely in unity with his own yearly meeting. He had not been stopped there. And therefore, a few pious orthodox men who were in the city of Philadelphia, could only furnish the barrier to his further progress.

Well, how was he to be stopped? The language was "*He is full of words, and it will be of no use to reason with him;*" must not even *talk* to him. It was a high compliment to the genius and talent of Elias Hicks.

But to proceed; he was at home a man of such character, that the whole society would rally round to protect him. The first attempt to arrest his progress, must therefore be made away from his home. But he passed through Philadelphia, without interruption, although they

were prepared to arrest his progress; but I believe they did not interrupt him in passing through. On his return from Baltimore, he came to the southern quarter at Little Creek, and there delivered his doctrines. No matter what they are for the present. He bore his testimony in that quarterly meeting. There were present in that meeting two men, Bell and Comfort. Before Elias Hicks reached the city of Philadelphia these men had been there. Whether they had written expressly in order to inform that *self-constituted body* respecting his doctrines, we do not know. But before Elias Hicks reached Philadelphia, Bell and Comfort had been there, and gave information, of what? That *Elias Hicks had pronounced unsound doctrines out of his own meeting and out of Philadelphia.* Well, Joseph Whitall by his testimony, justified Comfort and Bell in what they said. But in the first place was it true, what Bell and Comfort told? No, it was false. I do not mean to say that Bell and Comfort told a falsehood; but what they did tell was not true. And it is not extraordinary that it should not have been true; because, one understands one thing, and another another thing. And Bell and Comfort doubtless understood as they reported. Why was it not true? We have the testimony of three persons, who were present at the southern quarter and who happened to be in Philadelphia at that time, and they denied the truth of the story told by Comfort and Bell.

I will call the attention of the court to the facts of the case. Subsequent to that time, twenty-three worthy members of the southern quarter, who heard the doctrines which he delivered, not only denied the correctness of the views of Comfort and Bell, but they explained what it was that Elias Hicks did say on that occasion; giving the error into which Comfort and Bell had fallen, and which they had carried to these elders of Philadelphia, who were the willing and ready recipients of all the slander that could be propagated against Elias Hicks.

"*Philadelphia, Twelfth Month* 21*st*, 1822.

"We, the undersigned, being occasionally in the city of Philadelphia, where a letter was produced and handed to us, signed by ten of the citizens, elders of the Society of Friends, and directed to Elias Hicks, after perusing and deliberately considering the charges made therein, against him, for holding and propagating doctrines inconsistent with our religious testimonies, and more especially those said by Ezra Comfort and Isaiah Bell, to be held forth at a meeting immediately succeeding the late southern quarterly meeting, and we being members of the southern quarter, and present at the said meeting, are free to state for the satisfaction of the first mentioned friends, and all others whom it may concern, that we apprehend the charges exhibited by the two friends named, are without substantial foundation: [Now, sirs, you will perceive that they state where Comfort and Bell were in error:] and in order to give a clear view, we think it best and proper, here to transcribe the said charges exhibited, and *our understanding* of them

severally, viz: 'That Jesus Christ was the first man that introduced the gospel dispensation: the Jews being under an outward ceremonial law or dispensation, it was necessary there should be some outward miracle, as healing the outward infirmities of the flesh, and raising the outward dead bodies, in order to introduce the gospel dispensation.' [Well, sirs, is not this correct, and does it not challenge the belief of all sects of christians? Do we not hold that it was necessary for the purposes of the eternal God himself, that those miracles should have been, that they might have evidence of the great mission on which the Son had come? Every christian throughout the world believes it. What Elias Hicks said there, was right and proper, and there was no foundation for the accusations made against him.] This in substance is correct; 'That he had no more power given him than man, for he was no more than man;' this sentence is incorrect, as also, that 'he had nothing to do with healing the soul, for that belonged to God only,' is likewise incorrect; [and these men deny that fact; that Elias Hicks uttered any such views; this was wholly incorrect; thus denying that Bell and Comfort had properly represented him on that occasion;] and the next sentence that 'Elisha also had the same power to raise the dead,' should be transposed thus, to give his expression, 'by the same power it was that Elisha raised the dead.' [And was it not by the same power? And you see how easy it is to pervert the language of any man; although his very same words, when their order is transposed, make him express an opinion which he never uttered, and a sentiment which he never felt. But when in their proper order, it is a sentiment which no man will reject.] 'That man by being obedient to the spirit of God in him, could arrive at as great or greater degrees of righteousness than Jesus Christ;' this is incorrect. 'That Jesus Christ thought it not robbery to be equal with God,' with annexing the other part of the paragraph, mentioned by the holy apostle, would be correct. 'Neither do I think it robbery for man to be equal with God,' is incorrect. 'Then endeavoring to show that by attending to that stone that was cut out of the mountain without hands, or the seed in man, it would make him equal with God,' is incorrect. The sentence 'for that stone in man was the entire God,' should stand thus, 'that this stone or seed in man, had all the attributes of the divine nature that was in Christ and God.' This statement, and a few necessary remarks, we make without comment, save only, that we were then of opinion, and still are, that the sentiments and doctrines held forth by our said friend, Elias Hicks, were agreeable to the opinions and doctrines held forth by George Fox, and our other worthy predecessors of his time.

(Signed,)

ROBERT MOORE,
JOSEPH TURNER,
JOSEPH G. ROWLAND."

Wherever there is an error in point of religious doctrines, these three men deny the truth of the statement which was made by Bell

and Comfort. They, therefore, relieve Elias Hicks from the accusations made, and show that they were untrue. This statement denying the assertions of Bell and Comfort, was confirmed by twenty-three men who heard Elias Hicks at the time alluded to.

In the next place, this paper or statement of Robert Moore, Joseph Turner, and Joseph G. Rowland, I think, according to the testimony, was in the hands of the ten elders at the time they were dealing with Elias Hicks; thus they had before them a denial of the truth of the charges made by Bell and Comfort. Could any thing have satisfied them, if that denial did not? If they were in search of false doctrine, here they were told that they could not find it there. And ought they not to have stopped, upon the denial made by these men? For these men were respectable, and reliance could be placed upon them. There were other motives in the conduct of these ten elders. And when you look at their names you will not be at a loss to know what were those motives. But, there were *twenty-three* respectable friends, who directly denied the truth of the statement of Bell and Comfort, and declared that they heard him utter no doctrine, that was false or spurious.

Now, sirs, Elias Hicks came back to the city of Philadelphia in this state of things, and these ten elders undertook to deal with him. The first inquiry is, for their authority. Where do they get it? The only ground upon which they claimed it was, that they have a general superintendence of the ministry, and that they are to take care that no false doctrines be uttered in the society. Well, I admit that that is the duty of an elder; it is all true. But is there no limit to it? Have they a right to go any where? Has an elder in Philadelphia, a right to go into New York, and see that false doctrines are not proclaimed there? Has an elder a right to go into other quarterly and monthly meetings for that purpose? No. The Discipline compels them to remain within their own meeting, and to deal with their own ministers. Here then, sirs, we fail to find in the Discipline, any authority for these elders to interfere with Elias Hicks. If they had this circumspection over the church and its doctrines, entrusted to them, it was a jurisdiction confined to their own monthly meeting, which did not extend to travelling ministers, further than to inquire into gospel order respecting this matter, to give advice, and send to their monthly meeting if they do not give satisfaction, in order that they might deal with them. That is the gospel order of this society and there is no other.

In p. 61, of the Discipline, it says, "This meeting agrees that each monthly meeting choose two or more friends of each sex to sit with the ministers, and they together to compose a meeting, to be denominated a preparative meeting of ministers and elders; taking care that the friends chosen for that purpose be prudent, solid friends, and that they do carefully discharge the trust confided to them."

The elder, as I stated to you when I was considering the accompa-

niments of these different meetings, is an officer of the monthly meeting. He is responsible to the monthly meeting, and his authority does not extend beyond the monthly meeting. If he finds it necessary to act upon any minister, it must be within his own limits. He has a right to converse with a travelling preacher in his own limits, and he has a right to give information to his meeting. But he has no right to call other elders from other monthly meetings to deal with this minister, because he has uttered false doctrines. We have seen no such authority; there was no authority in this COUNCIL OF TEN—no authority in this COUNCIL OF TEN; it was an unfortunate number in a certain portion of the history of the world, it would have been better for it to have been something else than a COUNCIL OF TEN. But they had no such power. One had just as much power as ten; combination could give them no right to act in such a purpose; it is nowhere in the discipline. When, therefore, they called upon Elias Hicks, they had no authority; though that was not his objection, yet he would have had the right to rest upon it; it was a gross usurpation of power, and abhorrent to the feelings of friends. But what objection did he make? He said, "you are relying upon the testimony of Bell, and Comfort, and Whitall, and now in regard to Whitall, he has not reported the truth with accuracy, he has not acted in accordance with the discipline, he had no business to bring the report to you as he did. And with regard to Comfort and Bell, they owe an apology, for a violation of the discipline." Was not this right? If there be any doctrine in society, which is a bearing rule, it is, he who commits the first breach of discipline, should make satisfaction first, before he calls the other to an account. It is founded in nature, it is founded in justice, it is a correct principle.

But was not his position a correct one? I have shown that these elders have no such authority. Let us look to the Discipline, and see what was said on the subject of carrying slander against a member in page 29.

"Friends are every where exhorted to maintain a strict watch over themselves and each other, against the subtle and mischievous spirit of tale bearing and detraction, the manifest tendency of which, is to lay waste the unity of the body, by sowing the seeds of disesteem, strife, and discord, among brethren and neighbors, as well to unfit those who either propagate or listen to evil reports, for being of that service to the persons reflected upon, which they might be if the order prescribed by our blessed Lord, to his church, was strictly observed, viz. "If thy brother shall trespass against thee, go and tell him his fault between him and thee alone: if he shall hear thee thou hast gained thy brother. [This is their wholesome order, and it is enjoined on every one, and, sirs, if all religious societies would follow that precious discipline, what a world we should have!] But if he will not hear thee, then take with thee one or two more, that in the mouth of two or three witnesses, every word may be established. And if he neglect to hear them, tell it unto

the church; but if he neglect to hear the church, let him be unto thee as a heathen man and a publican."

Most excellent advice; most excellent rule for all tale-bearers and slanderers in the world. And do you not perceive, in the course which Bell and Comfort pursued, that they violated the spirit of this discipline? You see that Elias Hicks said to them, "you rely upon Bell and Comfort's statement, they have violated the discipline, and they must make an acknowledgment for that."

In the first place, the accusation was false.

In the second place, those who made it were guilty of improper conduct.

And in the third place, those who called him to account were doing it by usurpation, and not by right.

Elias Hicks might then, with perfect propriety, let him have been whom he pleased, he might very well have turned his back against these presuming elders of Philadelphia, and have said, "I know nothing of your authority, I will not submit myself to it." But his friends appealed to him, and said, "here are men who can contradict these stories; thou hadst better meet these elders:" and he did agree to meet with them. When they came to the place of meeting, Elias Hicks was present, and they refused to proceed. And why? Because there were those present who could deny the truth of the charges, and others who were friends to Elias Hicks, and they insisted that they must deal with him *privately*. Now where is the discipline for this? Are these ten elders to usurp authority, and denounce every man who will not submit to it? Where was the impropriety? Bell and Comfort made their statement, and there were other men who heard Elias Hicks, at the time alluded to, and why should they not be present? These men were dealing as a public body, and why should they keep these men from being present? But as this meeting had been constituted in secret, and had received information secretly, and in the mode of defamation and slander, they determined that nobody should be present, save the friend that came with him from New-York. In days past, they permitted even George Keith to have his friends present. These elders had assumed a new tone of authority, not known in the society in the days of Keith. Their principles were not only unknown in the days of Keith, but entirely unknown in the society of friends. These elders then wrote a letter, signing their names to it, which has been read before, and if it were not for the taxing of your patience, I should like to have it read again. It is a most usurping, improper, unjustifiable effort on their part, to create a difficulty in regard to Elias Hicks. Elias Hicks was going home, and if it was necessary, and if they had evidence of his having committed any offence, why could they not have laid it before his own meeting? They could have communicated it to Elias Hicks' meeting. But Elias Hicks, never had at that day, aye, and he did not until the day of his death, utter false sentiments in their

presence. But they acted upon the reports of his enemies; they were the centre where all the slanders against that persecuted old man, had been cast. They were the deposit of all those slanders—they were the *lion's mouth*—they were the *Venetian lion's mouth*, and they acted upon that principle throughout.

Elias Hicks denied their authority. Is it not true, that if Elias Hicks had been guilty, if there had been foundation for those charges, he ought to have been dealt with by his own meeting. If the southern quarter had listened to his heresy, the members ought to have communicated it to his meeting; but the elders in Philadelphia had no such authority. It was, therefore, a usurpation admirably calculated to work upon the feelings of the members of this society. When they saw that the orthodox leaders were combined together, in carrying their power without limit, they had reason to feel there was trespass upon the unity of the society; the very bond of the society was in danger. And this did create very strong and painful feelings. It revived those of 1819. It created part of that state of feeling with which these men went into the yearly meeting, and finally occasioned a disruption of the bond, in 1827.

And there was, in 1822, another occurrence which gave occasion of uneasiness. There was a usurpation of authority, to which the body of the society were not willing to submit. And what was that? There was a newspaper controversy between some persons in Delaware: between Paul and Amicus. Paul was orthodox, and labored against friends. Amicus, as their friend, undertook to defend them. It is said that Amicus uttered sentiments which gave friends, or some friends, in Philadelphia and elsewhere, some uneasiness. Now, here is one thing which I beg you not to forget. There is not one single particle of proof, that Amicus ever uttered sentiments against the scriptures, or the doctrines of friends. They tell you something about the "Berean," the "Delaware Gazette," the "Celestial Magnet," and about a number of papers of that description, but they have not shown that Amicus ever uttered one unquaker expression. Yet, because Amicus wrote, that creed was prepared. Now, I desire to know if there is not a most extraordinary defect of evidence here. Samuel Bettle said, that Amicus uttered false sentiments. Samuel Bettle is not pope yet, in this country, nor will he be.

But they have failed in proof on this point, and yet they undertake to say, that upon this, they framed that creed. Where has such an instance ever been known? When has the society come forward to defend itself in this way, merely on account of a newspaper controversy between two men. We have heard, in the testimony, of the interference of the society in relation to some statement made in "Mosheim's Ecclesiastical History," and "Dobson's Encyclopedia." But, sirs, these are works, which are to last as long as the art of printing itself shall continue, and are very different from an evanescent newspaper. And, sirs, because Amicus spoke in defence of the prin-

ciples of friends, it did not therefore follow, that he spoke on their behalf. Did not Amicus say so, himself; understanding there were some misgivings in the society, he stated to all who were reading the controversy, that he was not speaking on behalf of the society of friends, and that he was giving his own views upon this subject. And in consequence of a single individual writing in a newspaper, and he too, declaring that he was not writing for the society, yet, they come forward and form a creed. No sirs, that was not the ruling motive in making the proposition for a creed. They did not show when they came into court, that this publication contained false opinions. And I cannot believe that the great body of the society, can think that a reason for framing a creed, or a sufficient foundation, upon which to place a denial, that such a faith has been entertained by the society.

THIRD-DAY MORNING, 13th: 9 o'clock.

When I was endeavoring, yesterday, to examine the course which had been taken in laying down some of the meetings, in order to embrace within the power of the orthodox party, all the property of the society, I spoke of some of the meetings in the southern part of New Jersey. I stated that there were no ministers and elders in them. I was in error in relation to one of these meetings. There were one or two women ministers; in other respects I was right. I thought it proper to rectify that statement, though it was in the general outline correct. If their principle is sustained, they must have all the property throughout the society.

I was endeavoring also, to gather up the facts which had occurred previously to the yearly meeting of 1827, to show what was the situation of the parties; or rather, I will not yet call them parties—to show what was the situation of the yearly meeting itself. When I approached that meeting, I did not mean *Arch street meeting-house*. I meant that body, which in the bill of the complainants is called the yearly meeting, simply because it is the *body of the society* which meets annually, and no matter when or where. And I was endeavoring to show in what way, with what temper, under what circumstances, the yearly meeting assembled, in order to discover whether the only term and bond were not torn and rent asunder, and not so torn by my clients, but by the other party. With this view, I recurred to the transactions in 1819, at a time when there was no religious controversy in the society. The time to which my learned friend alluded, when he stated that "Elias Hicks showed such a greediness for preaching," as to go into the women's meeting; an expression which I regretted to hear, as coming from him, because it was to characterize a minister of the gospel of peace, when proclaiming the doctrines upon which the salvation of his friends depended. It was not *greediness*, and ought not to have been thus characterized. And having passed on to the year 1822, we found

these same persons who had taken offence, preparing their toils for Elias Hicks. They had had their private meetings, and their arrangements were ready for execution. He had passed through to the yearly meeting of Baltimore; he had returned from the southern quarter. And when he came to Philadelphia, slander and defamation, (I call it so because it was proved to be false,) had preceded him to that city. And although the charges were denied by men as high and respectable as his accusers, yet these persons, disregarding this denial, determined still to pursue him, combining in a manner totally unjustified by any thing in the discipline, or in the nature of the society, totally unjustified by any thing which Elias Hicks had yet done, and which was known to the world. This *council of ten* addressed a letter to him to call him to an account. They had no authority for doing so; they founded their proceedings upon false accusations. They knew it to be false before they acted upon it. By doing this, *they placed themselves* as guardians over the character and conduct of Elias Hicks, instead of sending to his monthly meeting. By the manner in which they acted, they sat in judgment over the meetings of Westbury and Jericho. It was *there*, that Elias Hicks was to answer. But this *council of ten* and those members of the meeting for sufferings who remained, utterly disregarding their own rights, and the rights of the meetings of Westbury and Jericho, undertook to call this minister to an account. What right had they to do it? While I speak thus, the court will not consider me as forgetting that an elder, when a man pronounces irreligious opinions, may look to him in the gospel order which is pointed out. But that of which Elias Hicks was accused was not within their monthly meeting; the accusations were brought from the southern quarter, by Bell and Comfort, and from the yearly meeting of New-York, by Joseph Whitall, the latter in relation to an occurrence which took place six months before, and in the presence of the whole yearly meeting of which Elias Hicks was a member; and yet upon that fact, the *council of ten* undertook to sit in judgment upon him, in violation of all order and decency. Elias Hicks replied as you perceived; and you have read the answers which he gave. He states that the fact of which he was accused, occurred in *his own yearly meeting*, when there was abundant opportunity to call him to account. The men who brought the accusation there, were guilty of violating the discipline themselves; they were accountable under the head of detraction and defamation. *They* ought first to have been dealt with.

The orthodox leaders found that they could not thus place their toils around Elias Hicks. What then? They commenced this operation as a meeting for sufferings—the committee representing every portion of the yearly meeting. When they came to deal with him, the ten elders united; but they could not accomplish their purpose. They then intended to accomplish it by making that same minute in the meeting for sufferings, in order by that means, they might retard Elias Hicks, and they did it under the pretence which I mentioned yesterday. You

will see by the letter of Elias Hicks how he puts an end to the hopes of these elders. And on the seventeenth of the month they resumed their character of a meeting for sufferings, and having failed to accomplish their design in this combination of elders, they sought to accomplish it as a meeting for sufferings. Was this open and candid? Was such a course consistent with, and becoming the sacred cause they were engaged in? And did it show a regard to justice, and religious principle? Is it not an evidence that they were acting from the unhappy impulses of the human heart, which seeks its revenge, and will not be satisfied until it has obtained it?

This committee of the meeting for sufferings prepared this creed, in order that it might be published to contradict, as they said, the religious notions and errors which had been published by Amicus in his answer to Paul. But as I said yesterday, you have no evidence that there is one incorrect opinion in the writings of Amicus. But they issued a minute, denying that Amicus represented the society; and I beg you to distinguish between the meeting for sufferings denying that there was any connection between Amicus and friends, and that creed which is a totally different matter. They requested that that minute might be published. It was so, it was inserted in the newspaper; but the publisher declined putting it in the book, which was to be made by the collection of all the writings of these parties. But he published it, and that was a full denial, so far as the society was concerned, of all the connection of this society with Amicus. Is there any evidence that that statement of faith and doctrine was offered to him for publication and he refused it? I know the manner by which Samuel Bettle maintained his testimony upon that point. But was that statement refused admission in the paper? It was that statement of *religious doctrines*, about which we make our complaint, we make no complaint of the *minute*, that was a matter of no importance; but as to the other paper, we did then, and do now enter our solemn protest against it. The one was a simple denial. The other was putting down in form of a creed, what was supposed by some to be the doctrines of friends, and thus binding us to that faith. I shall not examine the particulars of the statement by that meeting for sufferings. If I had been there when that creed was produced, there are remarks which I do believe would have been very appropriate, in relation to that paper. I should not have hesitated to say, that I could prove that instead of being mere extracts, it was a *garbled exhibition* of the sentiments of the writers, from which it is taken. Instead of being parts of paragraphs, it is parts of sentences, from the works from which it is taken. But I care not for that, my objection is of a different kind. It is to stating in so many words, the religious belief which they intended to impose on friends.

In 1823, this minute was upon the minutes of the meeting for sufferings. And what is most extraordinary, and utterly unjustifiable by

any fact that ever occurred in any meeting for sufferings, and is without a parallel in the history of this institution, is, that a creed was incorporated in the minutes of that meeting. Did the counsel tell you why that took place? Why was that entered upon the minutes? Why should they have done it? In cases where the meeting for sufferings had interfered with works published, they issued a minute, but they never put their doctrines upon the minutes. We say that no such fact did exist. But in this case to which we are now alluding, the object was not simply to make a denial, but it was a determined effort, to place *specific religious doctrines* before the yearly meeting, and thus bind every member to a specific form of belief. That is what we protest against, and that made the difficulty in 1823. There was no objection to the minute respecting the writings of Amicus. No, none at all. But when that creed appeared upon the minutes of the meeting for sufferings, the whole body was in commotion. Why were they so? Why some persons objected to the doctrines it contained. And you are told by Samuel Bettle, with a sneer which ill became the time and place in which he cast that sneer, that one objected to the text, "There are three that bear record in heaven," &c. He objected to it and Samuel Bettle sneers at him, as ignorant. Was it not Samuel Bettle's ignorance that prevented him from knowing that that text has been questioned and denied? Was it not maintained by Claridge, who is one of the best writers in the society, and who denies that it belongs to the scriptures? And should Samuel Bettle cast a sneer on a public occasion, and denounce this man as an infidel, because he denied that which was denied before him. But it is not alone upon the denial of Claridge. Of one hundred and thirteen manuscript copies of the bible, that text is in a single one only, of all the versions. It is only to be found in the Vulgate. Adam Clarke, than whom there is not a more learned man in the world, denies it. Dr. Scott who has been the learned and pious guide to my friend who addressed you, doubts that text, and there are few who pretend that it is a text to be unquestioned. Well, when such is the fact with regard to the commentators upon the versions of the bible, should the impression be produced against the man who uttered that declaration, that he is an infidel. The impression on my mind is, that that text was not in the scriptures, in the first centuries of the christian church. But when I say that, I do not think that this great doctrine rests at all upon that text, though it is a direct declaration of the Trinity; but take it from the scripture, and that doctrine stands upon a ground which renders it by no means necessary for the support of the truth of it. Adam Clarke says the same.

Why was the excitement, which prevailed, produced? When that creed was read in 1823, you are told, that the disorder was not on account of the doctrines, but was the necessary result of letting it remain upon the minutes of the meeting for sufferings, and thus making it the faith of the yearly meeting. Why should they have objected to that?

Why upon the ground that they have always objected. They have forever denied the propriety of creeds. If that statement of their religious opinions had been left upon the minutes of that meeting, and had been approved by the yearly meeting, would not the result inevitably have been, that that paper was to be a guide to the faith of the society? And here the question comes up, whether, when we resisted that, we did not stand upon the doctrines of our society, and whether it was fit for Samuel Bettle to act as he said he had done; that from that day 1823, up to the dissolution of the yearly meeting, he had paid no respect to the opinion of any one who was opposed to that creed standing upon the minutes? He says, that it was such an evidence of their feeling and of their character, that he paid no attention to them, in the proceedings of the yearly meeting.

Now I ask whether that was a fair consequence? And was it not right for this society, when they felt that there was an effort to impose a creed upon them, no matter for what purpose, whether it was to lay toils for the man whom they hated, or any other object, was it not right to resist it? Have we ever had a creed? What is a creed? It is a short statement in the language of the parties, of religious faith upon given points, without argument and without illustration; which is to be the guide of the faith of those connected with the society. I care not what it is called, a creed or a confession of faith, or what are the various names which may be given to it; but it is the substance which I look at. And this was for the establishment of a creed, neither more nor less. And, sirs, have we ever had such a guide to our faith, or such a creed?

Now you know very well, what these creeds were in former times. The Apostolic and Nicene, and various creeds existed previously to the time when this society arose out of the confusion of the religious world, and you know that they were all of that specific and given character; the Common Prayer Book of England; the Confession, &c. And it was contended that all societies had what was called a creed. And when this society arose, they resisted with firmness, the binding of the conscience with a form of words. And, sirs, I make the remark here, lest I omit it when I come to the subject of the Trinity. When friends denied that they would have a creed, what were they looking at? They were looking at creeds which avowed a belief in the Trinity. That began with, "We believe in God the Father, God the Son, and God the Holy Ghost," or where it came in soon after the commencement of the confession, and laid down that doctrine in these words, acknowledging the Trinity directly. It was so with the Athanasian creed, the Nicene creed, or the Constantinople creed, which was the same as this. Their disposition to object, was in respect to the doctrine of the Trinity, and not to the scriptures. That text was put to try the character of the belief; it had reference to a triune God; and when the quaker refused to have any thing to do with these creeds, did he not look

at the very *commencement* of the creed? And it was because he would not acknowledge the Trinity, among other reasons, that he refused to have a creed.

Now Samuel Bettle acknowledges that previous to this meeting of 1823, the society never published a creed, or a confession, or articles of faith. You will find it in p. 78, and 79, of Ev. 1st. vol. in which he states this clearly. I refer to the same place to show that this was the first cause of difficulty in the yearly meeting. He admits that there had been no such thing as a creed: and further that this very attempt produced the difficulties which were in the meeting in that year. Now if that be the fact, I ask you why should it be attributed to our attachment to the religious faith of Elias Hicks, that we rejected it? Why should these gentlemen seek from beginning to end to impute to us incorrect motives, when they have motives themselves, inconsistent with that which should influence this society. And the great argument of my friend was to prove that fact. I protest against such a course. It is not honest. Sirs, in relation to our opposition to the publication of a creed, I apprehend that we stand upon such ground, that it is utterly impregnable. In Fox's Journal, p. 28, the opinion of William Penn in his preface to that work, is forcibly and explicitly expressed. In Fox's Epistles, p. 159, and 162, you will find that his views are distinctly declared, and they justify and support the declaration of Samuel Bettle, that previous to this time, there had been no set form of words by which they explained their doctrines. And here was a set form of words, by which they must believe, and in the expressive language of my associate counsel, "*up to which they must believe.*" Then I ask, how it is possible for that society to have a creed?

When upon convincement, a man is admitted into the society, do they ask him his belief upon the subject of the Trinity? No, sirs. Do they ask him what he believes respecting the Atonement? Certainly not. Do they ask what is his opinion about the inspiration of the scriptures, or one single question which has reference to his faith upon given points of doctrine? I answer no. If they have a creed, how is it that they can admit a member without bringing him to the standard of that creed?

But again. Every child born in that society has a birthright; not a birthright like that of any other religious association, by which he can go to church and enjoy certain privileges, but one that gives him every thing that belongs to any member of the society. There is no question of communion or baptism, to draw the distinction. A child born of parents belonging to the society, partakes of all the rights and privileges of the society, from beginning to end, without distinction. Must that child believe up to a given point? Can that society have a written creed? Sirs, it would prostrate the fundamental principle of the institution.

But there is a stronger reason why they cannot have a creed, which

is the great principle of this society. It is the Spirit of Christ himself in the heart, revealing to man the duties which he has to perform, the opinions he shall entertain, all his duties, and all his doctrines, it is Christ that is there, and acts and teaches how to believe, and what to believe. Is there a set form of words by which they shall compel Christ himself to express himself? That is the question with regard to a creed in this society. It is not like other societies; it has a higher and a holier principle in regard to a creed. If those principles be true, it would be profanation, and blasphemy, and insulting that spirit which is their guide. How can they give to their members a set form of words, when their hearts are to receive dictation and direction from God himself? It is impossible. They may talk of having necessity for a religious creed, and that they cannot be kept in the right course without it, but they must then desert their principle. For as long as they adhere to this principle, they cannot have a creed. O no sirs! Fox, Penington, Barclay, and Penn would have had to renounce the great doctrines which they preached to the world, by having a creed or a set form of words. It is not therefore only upon the declaration of Samuel Bettle, it is not only upon the writings and views of Fox, Penington, Barclay, and Penn, and the other ancient fathers in this society, it is not only upon the principle by which members are admitted into this society upon convincement, and not only upon the birthright which every one has, that is born within this society, but it is the *fundamental principle* of the institution which so entirely repudiates and puts to scorn all idea of a written creed. And if a creed is pretended to be supported upon the part of the orthodox, they disown their fundamental principle, and in disowning it, they disown quakerism.

Now, sirs, if this view be true, I repeat again the question; is it at all to be wondered at, that when that set form of words was incorporated in the minutes of the meeting for sufferings, when the yearly meeting was asked to sanction that creed, that there should be an excitement in that meeting? If there had not been, it would have been most ample evidence that quakerism has ceased to exist in that meeting. They did feel, and they objected to it, and that strongly. So far had this orthodox party, these few men who were preparing their toils to embrace this individual, so far had they carried the power which they held in their hands, that the whole meeting felt that this was an effort to impose upon them, they felt it deeply; they resisted it successfully. It was right to do so. And yet now, that very body who stood upon the fundamental principle of the society, who resisted this creed, and that justly too, are denounced as heretics and infidels, because they did it. The result of the whole matter was, that they were under the necessity of withdrawing.

But this orthodox party have accomplished their purpose since; the creed has been published. This division took place in 1827, and soon after, that very creed was published to the world. And whatever the

motives of the orthodox party may have been, in that publication, they have shown to the world that they were ready to be incorporated in other societies, and have become openly a Trinitarian sect. It has given no evidence that they were quakers. They have forgotten by their doing it, the great, leading, controlling principle, of their whole institution. The correctness of the principles which it contains, I will speak of in another portion of my argument.

Those facts, then, in the year 1822, to which I have adverted, and in the yearly meeting of 1823, left the society in a state of great agitation. It would have produced the same effect among any other class or society, if an effort, which was the very opposite of all that was characteristic of the association, had been made. In the presbyterian church, or the episcopalian, or in the church of any other sect, agitation and resistance would be the consequences of such an effort; an effort, sirs, unknown and unsanctioned in the principles or practice of the society. And any man who will look through the nation, cannot fail to see, that causes of less consequence are at this period agitating the presbyterian church, to its very centre. Why then, or how then, shall we believe, that the bond which bound this society, when they came together in the yearly meeting of twenty-seven, was unbroken? And how Judges Ewing and Drake arrived at the conclusion, that nothing had occurred to destroy that bond, I am at a loss to conjecture. There are many incidents, the whole of which, neither my strength nor the patience of the court, will admit of my explaining. But there are three or four to which I will call your attention.

In consequence, sirs, of the feelings created by some of those facts which took place, there was much agitation, and much animosity, particularly in Philadelphia. An incident occurred in February, 1823, which increased that agitation. In that month, a woman friend, a minister, in good standing where she resided in the western country, and with all the regular certificates of that standing, came to Philadelphia, and we are told, that as she approached that city, rumor preceded her. And *these same guardians of the ministry*, who placed themselves in a position in which they were to be controllers, not of the ministers only, but of all meetings to which they were responsible, these were prepared to give her a reception; such a one as suited not quakerism, which is all tenderness and kindness, but of hostility and opposition. It was Priscilla Hunt; she attended Pine street meeting, and delivered her testimony. After she had closed, a minister of that meeting got up and opposed her, and your honors will remark, again we get to *Pine street meeting*, the very place where the person who felt wounded in 1819 ruled, and from which has issued every one of the difficulties which agitated the society; after preaching, this minister opposed her testimony; he said she did not preach the doctrine of that religious society. In what she erred, I know not; what were the doctrines in which she was infidel we do not know; how it was that she subjected herself to such unquakerlike treatment, they have not explained to us.

But was it right? Suppose she had been in error, and held doctrines not credited by those whom she addressed; was it right, to rise and declare her unsound? What does the Discipline tell us, upon that subject? It is even looked to by the very discipline of the society; it must be looked to, by the spirit which rules the whole body; they have taken care to prescribe the manner in which ministers shall be treated.

In page 61, of Discipline, you will find this language. "As the occasion of our religious meetings is solemn, a care should be maintained to guard against any thing that would tend to disorder or confusion therein. When any think they have aught against what is publicly delivered, they should speak to the party privately and orderly; and if any person shall oppose a ministering friend, in his or her preaching, or exhortation, or keep on the hat, or show any remarkable dislike to such, when engaged in prayer, let them be speedily admonished, in such manner as may be requisite, unless the person against whom the uneasiness is expressed has been disowned by a monthly meeting, or his or her public appearances disapproved by the elders."

Priscilla Hunt was in no such situation; she had not been disowned by the meeting, nor had her public appearances been disapproved by the elders. She was a minister in good standing; she was, therefore, under the discipline, to be protected. And you are told, that so deep is their regard for the order, and religious solemnity of their meetings, so great is their desire to prevent disorder therein, that if any one should oppose a friend in his or her preaching, the discipline directs, that such should be "speedily admonished, in such manner as shall be requisite."

Now, what is the inference to be drawn from all this? It was a violation of discipline. And that same set of men were thus, day after day, and hour after hour, gathering up power to themselves, and holding it with a grasp as strong as their characters would enable them to do it; and it produced, as it must have produced, an additional feeling of conviction in every portion of the society, that these men were forgetting the character of the society, and its discipline, and that they were going on to produce that disorder, which must in the end, destroy the whole institution. And it did produce that effect, completely and fully. This, sirs, occurred in the early part of the year 1823. It occurred too, without any justifiable cause; for Priscilla Hunt, although a woman in good standing in the community where she lived, was entirely unknown here; she was unknown as a ministering friend, for it was her first appearance in Philadelphia; and she was first interrupted without being told what was her unsoundness of doctrine; and that by William Evans, who was one of the band who produced the difficulties. And in the exhibition of this fact is there not evidence in the course which their party had taken, of the weakness of that bond, without which the society could not exist. Those who had determined to govern or to rend, thought they might have been able to cover this,

but by a way in which every thing that belongs to quakers, must be prostrated completely.

On the nineteenth of December, 1822, (perhaps I am wrong in the date,) when Elias Hicks had finished his ministration in that part of the society to which he had come, on his return from Baltimore, he spent some time in Philadelphia, and when he was about to leave to go home, friends of Green street monthly meeting of that city, endorsed his certificate, in a manner expressive of their satisfaction with his ministry. And you have heard that as an argument to prove that he was the leader of the Hicksite party. But that related only to the ministry of himself while he was in Philadelphia, among them; and there is no evidence of his having uttered any unsound doctrine there.

But there is another view of the case which is more important. When that certificate was granted by the meeting, it was proposed to be altered; it was somewhat altered; it eventually was made to express their concurrence with Elias Hicks, with his ministration there, in that meeting. There was present one elder who himself interfered in the preparation of that minute, and said, when there was a proposition to alter it, he believed it would do; thus giving his express assent to that minute. It was Leonard Snowdon. In what position, then, did Leonard Snowdon, an elder in that meeting, stand? The meeting had given a certificate, and he concurred in that certificate. He expressed his unity with the meeting, upon that subject; and yet, sirs, in less than forty-eight hours, he signed his name, under the direction of the elders, to a letter, declaring his disunity with Elias Hicks, and calling him to account. I desire not to speak unkindly of Leonard Snowdon, but in the ordinary transactions of the world, we should scorn that man as dishonorable and dishonest, who would have acted in such way. And in our intercourse with each other, who would not pronounce a man guilty of unfair and dishonorable conduct, who pursued a course like that of Leonard Snowdon, under the dictation of those men? He denied the truth of his own statement in the meeting. He had told the meeting that the certificate was right; he said, "it will do as it is." Yet he, with his nine associates, called that very man to an account for his heretical doctrines, in less than forty-eight hours. Sirs, in any society, I care not whether it is religious or not religious, or whether it is political, and in politics men are permitted to go as far as in any thing, even in political societies, I say, sirs, such an act would be scouted and disowned.

Well sirs, the meeting felt that Leonard Snowdon had acted unworthily. He was their elder, and was bound to be in unity with them, by the Discipline. And he not only forfeited his word, but he had shown that he was in disunity with the whole body. I ask you then, let that Green street meeting be persecuted and abused as it is, what could it do with Leonard Snowdon? Let him alone to himself, undealt with, uncalled to account? No sirs. That meeting would have deserved to be laid down *for that*, rather than for any cause of complaint

which existed against them, if they had not called Leonard Snowdon to account for such a violation of order and right. They could not avoid it. They tell you that they dealt with him with tears and pain; they loved him, and desired him to say that he regretted his disunity with the body. He would not do even that—that small apology he would not make, but he maintained his hostility. And what could they do, other than what they did? I cannot see, under the Discipline, how they could have acted differently? After laboring with him day after day, and week after week, and entreating him to make satisfaction, they were under the necessity of doing—what? Not disowning him; no, they loved him still too well. But as he was bound by the Discipline to be in unity with the body, they said, sirs, "you have ceased to be in unity with us," and they removed him from the station which he held, as an elder in that meeting. And had they not a right to do it? Was he not placed there for the performance of the high and holy duties of an elder in unity with the body? And had they not the right to say, "having appointed you for that purpose, we release you?" And yet sirs, it was for that act, which the monthly meeting could not avoid, (for they had no choice about it,) they were called to an account, and by whom? If your honors had not heard the evidence, I would set you to guessing. I ask you by whom? A monthly meeting relieving itself of an elder, and yet called to an account. I ask again, by whom? By the quarterly meeting, its superior? No, no; in truth, and in fact, they were called to account by this very body of elders and ministers, usurpers of authority, spurners of discipline, and disregarders of that whole unity which ought to exist in the body. I speak of them without the slightest moderation of my own feelings. It was this act of Green street monthly meeting, carried up to the quarterly and yearly meeting, it has been detailed to you by my associate counsel, which produced so much difficulty in that body. And was not Green street right? And was it not an usurped authority, in this body of ministers and elders? And I ask another question. Was it not a violation of the unity of the whole body? Was it not calculated to break the bond of unity? What monthly meeting of this yearly meeting could stand by, and see this meeting called to an account, for doing that which it was compelled to do? What monthly meeting could do so, and not feel that their rights were injured? It struck home to the utmost extreme of the yearly meeting, and every meeting felt the act which was performed towards Green street, on that occasion.

You are told, sirs, that Leonard Snowdon appealed. He *pretended* to appeal. But where is there any ground for an appeal in the case of an elder being released from office? If a man feels called upon to be a minister, and the body sanctions it, he may be such. But if a man feels this desire, or feels thus called upon, and the meeting refuses to sanction his preaching, he might just as well appeal, and say, that the monthly meeting did not do him justice. He appeals to the quarterly meeting to be an elder; there is absurdity on

the face of the proposition. The elders are selected by the monthly meeting, and it is perfectly within their own choice, and when they choose to release an elder from his office, what right has he to appeal? Does he hold his office as a piece of property about which he may contest? Does he hold his office as a matter about which he may sue, as to a civil tribunal? The idea is absurd.

It will be said by the orthodox party, that he was disowned, as it were. They know that this is a gross perversion of truth. By the act which the monthly meeting performed, they did not say that he was unworthy to be a *member* of the society. A hundred men in the meeting may not be fit to be *elders*, and yet they may very properly hold the situation of *members*. And Leonard Snowdon, although he could not be an elder, as he was not in unity with the meeting, might still have been fitted to remain a member, and to discharge his duty there as such. I repeat it, it was a perversion of truth, when they say it was disowning him. I ask for the discipline that authorizes him to appeal, because he was not an elder. There is absurdity on the face of the proposition. And it must be so, unless these orthodox gentlemen are prepared to carry out all their doctrines, and say that the officers of their church are like the episcopal ministers, that have such a hold upon the office, that they may retain all the profits of the office. This would be but another step towards the steeple-house, as I said the other day, and they will scarcely have gotten beyond the lower step, upon which they have planted their feet, before they will reach the vestibule of the building, and then there will be no great difficulty in getting inside of the church. They are certainly in the way towards it.

There is nothing in the case of Leonard Snowdon, which can justify the usurpation of this body of men in Philadelphia. He was deprived of no right, and in no mode was he injured; and if he was, there was ample cause for it. He had done that, for which, if they had disowned him as a *member* of the society, every one would have justified them. A man who would stand up in meeting, and concur in a certificate, and then privately unite with others, and deny the truth of that certificate, is not to be justified by any one. These elders mistook their character altogether. They lose their office as others lose their office. Why sirs, when an elder moves from one meeting to another, he loses the office of elder; and it can be exercised nowhere else but in the monthly meeting which appointed him. A removal even of twenty yards, in Philadelphia, will deprive them of the office. It does not partake of that character, which has been represented by the counsel on the other side. There was, and certainly there was great reason for it, everywhere throughout the society, a deep feeling of dissatisfaction in relation to the trespass committed upon that monthly meeting, in the course taken upon the appeal against the decision of Green street monthly meeting, in the case of Leonard Snowdon. It was a usurpation on the part of those orthodox gentlemen, which cannot be justified.

I have one other fact to which I will call the attention of the court. In consequence of the growing authority of those people in Philadelphia—which was a very natural result, as this meeting for sufferings was composed of people near Philadelphia, over whom orthodox power and influence could be exercised, the southern quarter thought it best to release their representatives in that meeting. I discussed the authority of that meeting, when considering the meeting for sufferings, and how it was composed. I also discussed the authority of the quarter to release its members. These representatives were released, and others were appointed. The meeting for sufferings refused to permit the southern quarter to perform that act. They rejected the nomination from the southern quarter, and appointed a committee to go down and reason with it. The southern quarter after hearing it, I think unanimously, agreed not to countenance such usurpation in the meeting for sufferings, and would not yield to it; they refused to allow forty or fifty individuals in and near Philadelphia, to govern them—especially as that company of orthodox managers in Philadelphia, had its government. Yet that meeting refused to receive these members. Why sirs, if this fact were stated alone, it would give a character to that meeting. I ask, is it possibly consistent with the principles of the quaker society, that they should have such a body? Is it not totally at variance with those principles on which the society has ever and always rested? Can you believe that there is even plausibility in the idea, that that body is a permanent one? I know sirs, that you cannot believe that this body had a right to say to these new members or representatives, "you shall not be received." If this single fact alone, had been performed by this meeting for sufferings, it would have been enough to show that that meeting ought to be destroyed. Had I been a member of the society, I should have done my part towards destroying that meeting, rather than have permitted them to assume that character, and thus draw within themselves the whole force, weight, and power, of the institution. I should not have hesitated upon that point.

But I was not a little amused by an argument made the other day, in allusion to the right in question; and Samuel Bettle made that argument also. A proposition came up from the quarters of Abington and Bucks, to appoint these members, and the elders, for given periods. It was rejected by the yearly meeting. And the argument is this, that therefore the meeting for sufferings is a permanent body; and therefore the quarters have no right to change their representatives. Now my learned friend understands very well what is a *non sequitur*. How does he argue that therefore the society has no right to control and dismiss its own officers? Why, in the general government, it was a matter originally contested, whether the executive had power to dismiss an officer, and it was decided, that he could dismiss that officer whenever he saw that the duties were not performed. About the period that Mr. Crawford was secretary of the treasury, the president as executive, would not interfere in that case. And, therefore, it was

thought better to have a law passed, that at the end of four years, there should be a termination of the offices alluded to; and it was passed. But if they had rejected it, and had refused to pass the law which they did, would it prove that the president could not in three years, or at any time dismiss an officer? And we see sirs, that the power is exercised frequently. All the officers of the custom of the United States hold their offices for that term, yet there is not a month that there is not an officer dismissed. The power existed before; the passing of that law did not curtail that power. It exists now as it did before.

So I think it is plain that those quarters have a right to change their officers whenever they please. And there is no power to interfere, that can have any effect upon the quarters, in discharging or not discharging their officers. There were good reasons which influenced these quarters in their wishes that these offices should be temporary. And if there was no other reason, the very fact that these gentlemen were gathering all the power in their own hands, and that they claimed permanency, was sufficient of itself to make it desirable, that such a change should be effected. It was desired by these different meetings, not to be put to the necessity of releasing their representatives, but in order to prevent the evil which existed, they wished the appointment to be a periodical one. And I think their reasons for such a proposition were ample, and in every respect entitled to consideration. When a meeting should come to make an investigation into the conduct of its officers, and should think it expedient that one or more of them should be dismissed, it would very naturally create unpleasant feeling; but at the termination of the period for which such officer or officers are appointed, they could make a change with much less unpleasant feeling.

It is a fact, I believe according to the evidence, that the western quarter had but a year or two before, released one of its representatives and that without complaint; which showed that the power did exist, and that it was exercised without complaint on the part of any.

But they agreed, sirs, upon a ground which it is not proper for me to pass without comment. That according to the form of the Discipline, these representatives were a permanent body, except in case of neglect or where they died. Now remember the testimony of Abraham Lower, in which he furnishes a minute of the yearly meeting in relation to this very clause respecting officers, showing that up to that time, from the time when the Discipline was made, that power had been recognized by the yearly meeting, as existing in the quarters. It was but by accident that we were able to get hold of that minute. We found it among some papers that were sent down some years ago. But why should we have difficulty in discovering any thing connected with this question? Where are the minutes of the yearly meeting? They are necessary to the cause of justice, of fairness, of candor, and of honesty. They relate, sirs, to all the matters of controversy in this cause; to all those facts about which I am now speaking, and those

which occurred in 1827. They are indispensable upon the subject of the representatives, to show what were the proceedings in relation to Abington quarter, and in relation to the creed. I ask again, where are they? You are called upon to decide upon the facts and the truth in this matter. The facts can only be fairly exhibited by the minutes. I ask again, where are they? Why are we not permitted to see the truth? They are not in our possession. Samuel Bettle held them in his grasp, and he holds them yet. We demanded them in order to appear before this court. They concealed them. They denied them to truth; they denied them to justice; they denied them to the authority of this honorable court, and also, to the court of chancery. If there be any difficulty, sirs, in our finding what are the facts about these circumstances, what is the inference? Every inference is to be made against those who kept them from us, *but who themselves take extracts.* Do you believe they are taken with all due fairness towards their adversaries? Do you believe one line is taken, more than will favor or advance the views of their own party? Look at the temper of their witnesses, and answer that question. The conduct of the meeting for sufferings, is evidence of the feeling and temper of this party, and it comported neither with honor, nor honesty. If they had been willing that we should know the ground upon which the facts stood, and that the court should see all the facts of the case, they would have said, "take them and examine them, and inform yourselves." We are in difficulty in regard to this matter of representatives, only, because we have been denied the minutes. The inference is one which the court ought to make, and which every body outside of the court will and must make. Their course, sirs, in relation to these matters, shows a continued grasp after the power of this society.

It was with a continued pressure made upon the unity and brotherly love of this society, and with these facts, and a great variety of others which existed, and which were bearing upon the rights and feelings of the members, that this yearly meeting of 1827, was approached. It was but a short time before this meeting of 1827, that one of the bitterest of all these incidents occurred. What was the temper with which the yearly meeting of twenty-seven was approached? What was the feeling which existed? Was it that of unity? They say some of the party whom I represent had been so distressed and agitated about these things, that they had conferences. John Comly was referred to. Now what were these conferences? Were they any thing more than this? He felt tenderly and deeply the distraction that was in the society; seeing that from 1822, to 1827, their meetings for worship and discipline, or business, had been distracted and agitated in Philadelphia, seeing these men had spurned acknowledged, and worthy ministers of the society, and had denied to the quarters the power to have representatives according to their wishes and views of expediency, and to a monthly meeting, the right to relieve itself of an elder not in unity with it, and grasping within themselves the power of the whole body,

he conversed with his friends, he opened to them his prospects, he gave to them his opinion that there would have to be a change in that matter. And, sirs, was it not necessary that a change should take place, in order that the society might exist in its own original simplicity and equality? When John Comly made these inquiries, was there any harm in conversing with those whom he loved, about these matters? There is no man who loved the society that would not have done as John Comly did, unless drawn in the vortex of this band of orthodox. John Comly had a right to do it. But we are not answerable for what John Comly did, unless by the course we pursued, we are shown to have approved of it. We are not shown to have entered into a previous arrangement with any body, about the subject of a change or reorganization in these meetings. It is not sufficient that John Comly should do any thing of this kind, and they make us bear the burden of it. This is the course which has been pursued in this matter, in regard to the consequences of religious belief. Within that meeting, the tempers of the parties was not such as it ought to have been. The great body did believe that the bond of unity was likely to be broken between them. But they bore patiently through eight long years, the trespasses which had been committed by these men upon them, and they desired to avoid every thing like a rupture, and that the meeting should continue in brotherly love; but they came into that meeting feeling deeply the wounds inflicted upon them. I admit they were determined that this state of things should continue no longer. They would not have had a proper regard towards their religious society, if they had not had such feelings.

The old clerk opened the meeting in the usual manner; it was right for him to do it. After the morning session, the committee retired for the purpose of nominating a person as clerk. So far, the representatives are nothing more than a committee of the yearly meeting, as committees of smaller meetings are, for selecting a name for clerk. Was there a vacancy? Unquestionably there was. Why by the very principles of the institution, after the meeting was opened, the old clerk ceased to be a clerk. Was there a vacancy? If not, why were the representatives sent out to make a selection? There was then a vacancy, and they were to fill it.

When these representatives met, the first proposition was that John Comly should be clerk. Now whether it was wise or not, is a matter of no consequence to us, so far as the view which I now take is concerned. I see no reason why he should not have been a fit man for that office; he had long been assistant clerk, and was of as high and pure character as Samuel Bettle, or Jonathan Evans. His integrity stands unimpeached; we will not fix the limits there; he is the advocate of peace and good order; a man of humble pretensions, but possessing high claims to intelligence, virtue, and correctness. And these had never been questioned. Why was he not fit for clerk? Was it that he thought fit to converse with his friends in relation to these mat-

ters of controversy? Why it showed that his whole heart was bound up with the interests of the society. The only error which he committed, was calling in question the propriety of the conduct of the elders in Philadelphia. All that he had done was to say that the elders in Philadelphia had taken power which did not belong to them, and that the society was in disorder, and that the members should direct their attention to the subject. Did that disqualify John Comly? If so, it must have been for reasons which I cannot comprehend. But I need not speak of John Comly being a fit man. After that, Samuel Bettle was nominated; then the difficulty arose. Here we have contrary statements; and it is not wonderful, that men should differ in their statements respecting events which were connected with so much excitement. But there is no difference in the evidence, in relation to all that I ask, upon this subject; they all concur in relation to that matter. And the very declaration made by Cephas Ross, is evidence that there was great excitement in this body; that there was no unity there. And it is proof that he thought as he tells you, when speaking of the subject, he saw a portion of the representatives domineering over the rest. If there was no appearance that those representatives who wished to carry into effect the views of the orthodox leaders of Philadelphia, and who were endeavoring to tread down the rights of the rest were retracting in their course, was he "*a deranged man*," because he would not surrender his judgment in that matter. His language was, "I hold my commission from God, and will not surrender it to man." When he made that declaration, he felt the dictation and usurpation of orthodoxy, and the spirit of the quaker rose against such oppression and domination. But that there was great difficulty there is admitted on all hands. John Comly was first nominated; about this they do not agree; and then this proposition was made, that they should take into consideration, *whether Samuel Bettle should be released.* Sirs, this was a mean and unworthy *finesse*. I repeat that it was a mean and unworthy *finesse.* There was no such question as "whether Samuel Bettle should be released." The office is an annual office, and it is the duty and the practice of this committee, consisting of the representatives, to select a name for clerk every year. And yet that proposition goes upon the idea, that Samuel Bettle has a right to that office, and they must first say whether he shall be relieved. There is no discipline for that. It was a *finesse.* They knew if they could have had that question taken, that he would not be released; and if there were only five of them, and if they were sturdy obstinate fellows as some of them were, they knew they could get the power and management into their own hands. It was sirs, a mere trick to evade a decision directly upon the name mentioned; and it shows the unbending perseverance of these men who were lording it over the society for years; and they had as much cunning as they had perseverance.

Well, they did not agree. You will recollect what I said upon the principle of majorities; and I have now to repeat that with regard to

all committees, a majority is to govern. And the representatives are but a committee, and a majority of them must govern. That is a principle of the whole society, and all admit it. Here I believe that I am perfectly correct and consistent. I do not forget that they are to reach the unity, by the spirit of truth. But in committees, it is a principle that the majority is to give the decision. The representatives being nothing more than a committee, it follows that Abraham Lower was in accordance with the principle of the society in proposing a count there, because the majority principle does rule in relation to committees, and all admit it. But they did not agree, and went before the yearly meeting, and it was declared that they did not agree. And John Cox said, he was authorized to declare this fact. Now, upon that part of the case in relation to John Cox, I have no doubt the old gentleman said what he thought to be the truth. But one thing is certain; if John Cox was directed to make that report it was only by the orthodox, because there was no union in that report. No doubt he acted upon the principle which the orthodox did, when they came to that decision. It was a *few weighty men* that had to decide it, and they instructing him to make that report, he made it. John Cox *was not authorized by the unity of that body* to make that report. He regarded the authority of one party, and made a statement, and he was honest in making that statement. Still it lives to be a fact, that there was a decision; that there was a large majority against Bettle, and in favor of Comly.

When that report was made, William Jackson said, that according to the usage of the society, the old clerk should be kept,—should continue. I regret that that venerable old man should have made that declaration, not that he would err intentionally; no, sirs, he would not. I saw the old man when he gave his testimony. His age is great, his appearance is venerable, there is purity written upon his very countenance. But when he made that declaration, he was in error. There is no such usage; if there was such usage, it would have been proved. It has not been proved, and it cannot be proved. The question was put to him subsequently, upon what fact he founded his declaration? He admits he knows of no such fact. He declared that such was the usage of the society, and yet he says he knows of no instance in which there was a fact of that kind. The mere statement of the fact, was all which was adduced as proof of the assertion. And yet sirs, Chief Justice Ewing was misled by the testimony of William Jackson. There never had been such a meeting, and there never had been any such case. The only question upon which such a case could have its origin, was in the controversy with George Keith. And we have no evidence of any thing of the kind when that controversy existed.

After these statements by Mr. Cox and Mr. Jackson, there was a great division of the society, as to the result. But the society was relieved, at least one part of it was relieved, by an act, which, under the circumstances of the case, I can but regard as evidence of the moral courage and firmness of Samuel Bettle; it proved to my mind that he

is able to carry himself through any difficulty. This gentleman of the orthodox party, was admirably selected. I doubt whether they have another man, who under the circumstances of the case, would have done what Samuel Bettle did.

I put these questions to your honors. Was there any unity in the selection of Samuel Bettle? At the moment it was before the committee was there not a strong and powerful opposition to it? And from the testimony of witnesses, and from what has occurred since, is it not very clear that a large majority of the meeting were opposed to it? Was not that opposition expressed at the moment? Could a clerk be elected under such circumstances? I refer again to the principles which I attempted to explain in relation to the discipline of the society, and under them I answer, no. But he did go to the table; he was a willing agent, and must have been a *prepared* agent on this occasion. Had he sat at the table, and made a minute that he was to continue clerk until the representatives could agree, and that he should act until another clerk was elected, it is probable that some middle course would have been taken, which would have enabled the meeting to proceed with the business and duties which might have come before it. And I look to Samuel Bettle's making that minute, constituting himself clerk, as the great cause of the distraction of that meeting. And if he made a minute at all, it should have been according to the fact, and not such an one as he did make. If in that state of distraction Samuel Bettle had gone to the table, and had made a minute stating that he was chosen clerk until another was appointed, or until the representatives could agree, it would have been the truth, and nothing but the truth. And if he had taken his seat there, under the circumstances, giving the parties to understand that there was still a point upon which they might meet, in the hope of the existence of unity in the body, in the hope that those who felt oppressed under the bonds of persecution might be relieved, and that those bonds were such as might be broken, then the spirit of unity might have existed. Then they would have said "let Samuel Bettle serve until we can agree upon another;" or "let us lay aside Bettle and Comly, and select another man, and bring back the spirit of unity." Samuel Bettle by making that minute continuing himself clerk, in utter disregard of the feelings of the meeting, did that which insured the distraction of the body; and he must answer for it, more than any other man. He may not have done so much in preparing that state of distraction, as a few other individuals, but he finished the work.

After he made that minute, what was there remaining? How was it possible to get along in the unity? They came there, sirs, with a discipline scorned and violated. The feelings of the members were aroused; and they came there with a hope that unity might be restored. But they saw in the first act, that they who held the power, were determined to lord it. It destroyed their hope. Their confidence was disappointed. They say that John Comly consented to be

assistant clerk. But will your honors mark the contrast. Samuel Bettle went to the table, against the will of the majority of the meeting, in utter contempt of the opinion of the majority. John Comly was a man in whom all united as assistant clerk; the orthodox and our friends all united in him; he had no choice unless he disregarded the wishes and purposes of all parties. Samuel Bettle had no right there. John Comly had a right there, for he was in the unity. One regarded the discipline and unity, and the other spurned them; and that was the distinction between the two men.

And in relation to these representatives, I beg now to state, that there were one hundred and sixty-three, as shown in the exhibit by Thomas Evans, and by other testimony. There were one hundred and fifteen friends and forty-five orthodox, showing the relative proportion of these parties, at the time of this difficulty. And carrying this proportion with you, I think you will have no difficulty in coming to a conclusion with myself.

It is said that Abington and Bucks increased the number of their representatives. It is true. But there are two reasons for this. The first is this. Had they previous to that time given a full amount of representatives? The answer is given in the testimony, that they had not. Had they before, their proportion with Philadelphia and other quarters? They had not. But there is another consideration which must not be forgotten. Although Abington and Bucks did increase their representatives, yet "the Hicksite quarterly meeting," using the phraseology of the counsel, did not increase their representatives, in a proportion greater or above the number sent by Philadelphia and other quarters, which were under the control of the orthodox. Each sent the number which they had a right to send, and which the discipline authorizes; not beyond what they were entitled to send, but only in such numbers as to give the country portion a fair equality with this city party, and the sole effect of the increase of Abington and Bucks quarters, was that the country meetings should be placed upon an equality with the others. And by the course which they took, they had a proportion of representatives just about what they were entitled to, in the proportion of their numbers throughout the whole yearly meeting.

I do not perceive then, sirs, in the course which was taken by John Comly, in consenting, when the whole meeting was united in him, to be assistant clerk, any thing like that kind of fact, which the learned counsel called, so far as our rights are concerned, "a damning fact." This circumstance furnishes no proof that we are wrong. It is no acknowledgment on our part that we are wrong. It had no effect upon the character of that meeting, except that those who came there with their feelings wounded, saw in this one fact, a unity in the body which justified them in continuing there, to see if unity could not be gained upon other points. That is the only inference which can be drawn; and John Comly was perfectly within the unity of the body, and he

acted with perfect propriety in serving as assistant clerk; and the only difficulty was, that there was a *clerk* who was not in the unity of the body.

On third-day morning, John Comly proposed an adjournment of this meeting, on the ground that it was not in a situation to perform the duties of a yearly meeting. There he showed his wisdom—it was a wise judgment in him. And, so far as I can form an opinion of the conduct of John Comly, he appears to be not only a worthy man, but a wise man. I think, if both parties will now look back to where they stood on that occasion, they will admit with me, that it would have been wise to adjourn that meeting, at least for a time, until they should be brought into a proper state to discharge the duties of a yearly meeting. But it was rejected—they were not willing it should be done.

When this meeting came to consider those matters which were brought up, and upon which I commented, from Green street and Abington, Bucks, and the southern quarter, when all those difficulties were before it, what did that meeting say? It did admit its unfitness to touch any of them. It is maintained by Chief Justice Ewing, that it was in a fit state, and he might have added, that *they were in Arch street meeting-house;* there would have been things more absurd, if he had even put that in. How are you to test the fitness of a yearly meeting? Is it by the order of the business which it has to do, or is it rather, by those facts which relate to the state of the society, and by what the meeting is fit and capable of doing, in relation to those matters? Here were questions which had arisen, in relation to the manner in which the discipline was conducted. It was matters of this kind which were the proper ones by which to test the state of the meeting; all parties were willing to admit that they were not fit to go into such an investigation. It was acknowledged that the bond of unity was broken. The difficulty which arose from this state of things, was not of an ordinary character. When cases of difficulty of an ordinary character have come up, they have been postponed for future consideration. I mean, there have been cases where difficulty has arisen, and they have been put off. But these matters were not of that character. They related to the very bond of its existence—they were such as go to the very life-blood of a yearly meeting. And it declared that it was incompetent to attend to those matters. And was not that an acknowledgment, that there was no yearly meeting in existence?

Under this state of things, sirs, Friends felt that they were utterly disregarded and contemned, and were then worthless and useless members. And there was not a being there—no, not one, who did not know that this bond of unity was broken. There is not one of those orthodox gentlemen who did not know it. They all knew it. But this clerk, who placed himself at the table, has given us an explanation of his views upon that subject, which leaves us no longer to make any question about it. I rejoice that the counsel of the adverse party

thought best not to allude to that fact, because there was no explanation which the ingenuity of the lawyer could give, that would have comported with the integrity of the man. What does Samuel Bettle tell you about the great mass of the meeting? From 1823, he considered not a single man who had opposed the creed, worthy of consideration. The clerk, who is to act as the instrument of the Spirit of Truth itself, proclaims that the large majority of that meeting, are men whose opinions he has utterly disregarded and contemned. I do not stop then, sirs, to inquire whether those friends who were thus treated by the clerk, were to submit patiently to the constant trespass upon their rights. But I ask another question, of more importance in the view which I am now taking. Can there be a yearly meeting in existence, where the clerk disregards three fourths of the body as members altogether? Is there, or can there be a yearly meeting where such is the fact? Samuel Bettle forced himself to the table against the unity of the body. He who is to decide questions according to the sense of the whole body, admits, that with regard to the great majority, those who united in going off, he never considered them of any character at all. Sirs, I want but that single fact, to give to the court the character of that yearly meeting. I say there was no yearly meeting. I endeavored to examine the principle which is to operate on the whole matter. It is a principle which my adversaries dare not deny, unless they deny that there are quakers. I explained the nature of the bond, which holds this society: that it seeks unity, and exists in unity; that there is a great equality among the members; that every man stands upon the same footing, and that the Spirit may select any of those contemned members, whom Samuel Bettle despises, as those who are to be the medium through which that light shines which is to be their guide, and that this great bond of unity can alone make, and sustain the quaker society. And I find that Samuel Bettle declares, in his testimony, that there was not unity; that the bond did not exist; and he goes further. He declares that the Spirit of Truth may direct either a man or a boy, who may become members of the body. And yet this clerk tells you that the Spirit shall not appear in such, and especially through these spurned members. O! the profanity of such a declaration from quakers! Christ appears where he pleases, and in whom he pleases; and Samuel Bettle should not say, you shall not appear there. It is not only a declaration that the bond has gone, but impious profanity to the head of the church. Sirs, that yearly meeting had no existence—the unity was broken. This majority who went there felt it. And sirs, they were not mere youths, or a class upon whom *Elias Hicks could play his tricks of eloquence.* No sirs. Are these the boys that could be led by the demagogue of the pulpit? Are these the men who have no interest at stake, in a controversy like this? Are they those who can be misled from duty, and the path which conscience shall dictate? I appeal to you, whether such imputations ought to have been cast upon my clients? They are not such men. I appeal from

the representation made by my learned friend, and I would ask you sirs, whether from your knowledge of my clients, they were led by considerations of such a kind?

But they felt and knew that this bond was broken; and they met in conference, to see if it were possible something could be done to restore peace and unity. And you are told it is an evidence of their disqualification and unfitness in religious principles, or for taking a part in the religious concerns of the society. What were they to do? They had a clerk forced upon them, and the orthodox party of the yearly meeting was taking a course from which they could not relieve themselves. For upon the principle which had been adopted, if Samuel Bettle could be placed there for one year, he could be placed there until the termination of his existence. It required only half a dozen representatives to insist upon his not being relieved, and then Samuel Bettle might continue to be clerk, until the end of his life. They knew that the whole power of the society was in their hands. They felt that they themselves were a spurned and despised class of men, around whom brotherly love had spread its wings, but upon whom insult and scorn were cast. Should they not consult and see whether the blessings of peace, harmony, and brotherly feeling, could not be restored? It was a duty to themselves, and to the great head of the church, to make an effort. They did so. There were two or three meetings, and they found increased difficulties threatening upon them in the yearly meeting. Well sirs, they continued these conferences until the end of the yearly meeting. They waited until all hope was passed; for they did not agree upon the epistle which they sent out, until the end of the yearly meeting. They had consulted about it, but their final determination was not made until the yearly meeting closed. And then in what situation were they?

Before the commencement of the yearly meeting, under the dictation of a foreign minister, the meeting of ministers and elders appointed a committee to go down, and deal with the ministers and elders in the society, upon the allegation that there was corruption in the class of ministers and elders: that the ministers who bore their testimonies before them, and the elders, were corrupt and infidel, and required to be dealt with. And who was it that proclaimed this? It was a *foreign minister*, who ought not to have been here on a mission of persecution, but on a mission of love. But upon what pretence was that done? You know that this small meeting of ministers and elders, send up answers to this meeting to give the state of the church, to say whether ministers and elders are faithful to their duty and to religion. Well, from every portion of these meetings there was no abatement, except in one single meeting, and that was Pine street. Mark this. *Pine street.* And of whom did Pine street complain? Of her own ministers? No, not at all? What was her duty? It was to answer to her own ministers and elders. Where did she get the right to go out of her own limits? It was an impertinent interference with the duties of others. Pine street,

admitting *her own* ministers to be correct, calls in question *other* ministers. But if this meeting were to act upon a report like that, they must send down a committee to *Pine street*, that must examine *other meetings and elsewhere.*

This foreign minister said, if there had been honesty in the reports of the other portions of that meeting, some other complaints would have come up also. She was a slanderer, and ought not to have come across the Atlantic for that purpose. She scattered discord, and did not promote brotherly kindness and love. But under her dictation, they appointed a committee to go down and deal with all the ministers and elders of the society, within the compass of that yearly meeting: to call them to account. And who can doubt what would have been the temper, that such a committee would carry with them. Distraction and discord would follow them wherever they went. Our friends, when they came into the yearly meeting, knew that this act had been done. An effort was made to oppose the appointment of that committee, but it was rejected. And while they were in conference of what they were to do, they were told this was to be continued; they saw plainly that those acts of persecution, domination, and oppression, were not likely to cease. I ask you to look at that yearly meeting, carrying with you the peculiar and only bond of this society, and tell me if you can complain of the course pursued by the large majority, under such circumstances, when they had no redress? We say in our answer, if there was a mode of redress, it was one which would have required us to surrender our opinions and principles; this would have been required of us in order that there might be peace. We should have been obliged to have given ourselves up into the hands of a few tyrants, and have been the subjects of their dictation and control—all this that we might have peace. Yes, sirs, there was another form of redress; and that was by force, to have taken Samuel Bettle from his place; but our principles forbid it, and we could not do it. We had a right to withdraw, and reorganize. And it was a right, perfect in nature, and perfect in law, and no human tribunal ought to complain of it.

It is said, we had incorrect motives, and you have been referred to our epistles; I entreat you to read these epistles from beginning to end, after the close of the argument in this case. The first is not addressed to any party, and proclaims the existence of this state of facts, and declares that they believe it necessary to consider the propriety of retreating, not from the yearly meeting, but from the scene of confusion and disorder, which they had been compelled for so long a time to witness, and which must remain, so long as they continued together, unless they surrendered their opinions and principles. They asked *all* to come, and to consult upon this great question, that all might consider it. It certainly was a question of great moment to every member of that body, and deserved all the consideration that could be given to it. They saw no mode of escape. And can you show us any mode of escape? Our adversaries have shown us none, except to yield to their

usurpation and tyranny. The language of their conduct was, "do as we tell you, and we shall get along happily." They told us the truth, for once. If we had submitted to all they did, and had acted as the humble instruments of their power, we should, perhaps, have had unity in the meeting, but, it would have been by a surrender of all the rights of conscience, which are to be controlled alone, by the God who made us. We could not, and we would not, do it.

When the meeting was called in June, they looked at it in the same mode, and requested that a yearly meeting might be held. Now, sirs, there has been much said, about the *ancient* yearly meeting. Here the word *ancient* is an interpolation. We speak of ancient friends, but the term is not applicable to the yearly meeting, but it has crept into the arguments of this cause. It has also been urged against us, that we hold our yearly meeting at another time, and therefore, it must be a new yearly meeting. Sirs, the term *ancient* is not applicable to a yearly meeting. A yearly meeting is the collection together of the whole quaker society, within certain limits; of the individuals of the body; and let it meet when and where it will, it is a yearly meeting. Although it took its origin from the fact of its being held once a year, it does not get its character from that circumstance. It may meet every three months, and yet may have its power of a yearly meeting. It is a combination of the society with themselves. It is a meeting of the whole body, to discuss the interests of the body. When you talk of a yearly meeting being bound to meet once a year, and on certain days, you talk of literal nonsense. If Arch street yearly meeting should agree to meet in the month of August, would it not be a yearly meeting? If any man says not, he shows his ignorance of the very essence and constitution of the society. And wherever the whole force and combination of the society is found, there is the yearly meeting. And therefore, they gave our meeting a name and character which does not belong to it. It was a yearly meeting of the friends attached to it. And be it remembered by you, when you come to consider the propriety of the acts in the sixth and tenth months, that we called on *all* the members without regard to party, to meet. That before we met again, this committee that was appointed by the yearly meeting, (for there was one appointed like that which was appointed by the meeting of ministers and elders,) had gone down to the meetings, and had produced distraction and dismay, and had assisted in the prosecution of disownments, and sent, so far as they could, agony to every heart that would not bow to them. Our temporal rights were beginning to be denied. Our spiritual rights were denied. They were denying, denouncing, and disregarding all those who did not yield to them. And, sirs, there was no part of the body before the meetings in June and October, there was not one portion of the society, where the thirsty arrows of slander and persecution had not flown, and found places in the hearts of their victims. They not only did that, but they *destroyed* Green street meeting, *as they asserted.*

Do you, can you wonder, at the course which we pursued? Can you rebuke us, because, under such circumstances, being *quakers*, being *Friends*, governed by the principles of love, we felt that it was time for us to withdraw? And had we not a right to withdraw? The purposes and the objects which we had in view, and the manner in which we acted, were determined by our principles. We said we had no new discipline to furnish as a guide and governor of our people. Did we tell that we *had new doctrines?* Or did we ever proclaim the doctrines of Elias Hicks, to be those of salvation? No. We had no new discipline or gospel to preach, we supported the old discipline of the society—the old principles and doctrines of the quaker faith. Every thing we have done, supports this assertion. We withdrew from scenes of confusion, and terror, and dismay. Tell me, sirs, had we not the right to withdraw? In thus retiring, we were influenced by the best feelings of our hearts, we followed the dictates of peace, and good order. Our great object was, to worship the God of our fathers, as our fathers worshipped. Spurn, and rebuke, and censure us if you can; deny our legal rights if you will; we have not ceased to be *Friends* by the acts we have performed; and if we are to bear the penalties of the law, we will bear them humbly.

THIRD-DAY AFTERNOON, 3 o'clock.

The yearly meeting of 1827, is an important matter in this controversy. It has been made so, not only in the argument of the counsel, who addressed the court, but in the opinion of the learned judges, Chief Justice Ewing, and Judge Drake, when they gave advice to the chancellor in relation to the matter, now before your honors. It was for that reason, although I believe that this case did not necessarily depend upon that point, that I thought it my duty to attempt to direct the attention of the court, to the facts which preceded that yearly meeting, and to the state of the meeting itself at that time; in order that you might justly weigh, and estimate the conduct of my clients on that occasion, when they determined, as they said, to withdraw, and seek a quiet retreat from that scene of confusion.

I endeavored to present the course which had been taken by the orthodox party, before that meeting, and at the time of that meeting: not by detailing all the circumstances which gave pain and distress in the society, but by giving a few of the prominent matters, in order that you might perceive with what feelings the members approached that yearly meeting, and were compelled to act on that occasion. I had one great object in view, in this; to show that in withdrawing from this scene of confusion, they had not acted hastily or imprudently, in any respect. And, I think, that when the circumstances to which I have adverted, shall be fairly considered, when it shall be remembered, that from 1823 to 1827, there was one continued scene of confusion

and disturbance, in the meetings of Philadelphia, that in Philadelphia quarter itself, which embraced the monthly meetings there, there was not a meeting for worship or business that was not distracted or disorganized, and in a state of difficulty, when all the objects of the institution of this society, and all the benefits which were promised by its founders had been entirely lost, there will be a feeling at least, that those who retreated on that occasion, acted in the spirit which influenced the founders of their society. Why sirs, there was not a month that there was not some scene of confusion; there was not a month in which the meetings for worship and discipline in Philadelphia did not exhibit a scene, which clearly manifested that all that peace and order which naturally belong to, and are a part of the quaker system, were put to flight. So far as the causes which created that state of feeling are to be regarded, you will bear in mind, that these very men who produced this confusion, had for their leader, in every movement, *the very same man*; they had also, another man, who was their spokesman, and who was eventually to effect their purpose.

When we came into the yearly meeting, this same Samuel Bettle was made judge. He had to judge of what? He had to judge of the conduct in relation to Green street. And he was a committee-man, in that affair. And in relation to the southern quarter, he was a committee-man. In all the difficulties, Samuel Bettle was agent and witness, and then they constituted him judge. How was it possible, that a man thus situated, and himself taking such an active part, how could he, as judge, possibly decide in relation to the difficulties which existed? It is impossible. Samuel Bettle is a human being, and after having taken such an active part in all these difficulties, was not the proper man to place at the table, or to hold the character of judge in those matters. He came to the yearly meeting, and placed himself at the table, not by the will of the body, but by his own. Well, there was an end of all further hope. There was there, unquestionably, the collection of people called a *yearly meeting*. It was an extensive meeting. But, sirs, there was no yearly meeting: the body was there, and it is of that body that the chief justice has spoken, without regard to the bond, without regard to the very spirit and life of the body. It did not exist then. There was no unity, there could be no unity. It was *Greece*, but it was not *living Greece* that was there, and about which the chief justice was judging.

The moment Samuel Bettle took that position, that moment every thing that had connexion with the spirit of the society took its flight. It was impossible that there could have been a peaceable living yearly meeting; and there was not a single being there, but knew that the principle which held it together was gone. Love and unity no longer prevailed. And, in considering that course of the argument, I beg you to regard this meeting as it was. I think some of the witnesses unfortunately mentioned *revolution*; and others have spoken of *reorganization;* that is the true word. Organization means such an arrangement

of the parts, that any, or all of them will operate together. They meant by reorganization, new arrangement of the same parts. They meant not to make a new body, but to revive the old, and to enable each part to co-operate with the other, so as to form one whole, uniform body, as it had been in former times. It was this which they accomplished.

I shall be under the necessity, when I come to consider some of those general principles which apply to both aspects of this cause, both as to the discipline and doctrines, to revive in the remembrance of the court, some other incidents. I desire now, to pass that question, and look at the other part of the case. After I shall have brought down the religious question to the same point, I shall combine, and place them before you, with reference to the results which will follow.

It is said by the other party, that when we seceded from that meeting, we seceded from the early faith of the founders of our society; and because we thus seceded, we must surrender all the property. I must here again, (for I mean to stop to do it,) enter my protest against the consequences which they say are to follow. But although that protest has been entered in the answer which has been given, although we now repeat that protest again, yet we cannot avoid the inquiry. It is forced upon us by the adverse party. The great weight of the argument of the learned counsel who last addressed you, rested upon this; and he argued with a determination that he avowed; he told you that he would fasten that heresy upon us, and that we should not escape from its consequences. I meet him boldly on the charge. I will throw it back upon him, and show that his accusation is entirely an unfounded one. And I shall show that the orthodox party have not been able to comprehend the religious doctrine, about which they have been disputing. I confess this is a strange duty to be performed by counsel at the bar. I am no theologian. I have never made, as I ought to have done, theological questions the study of my life. I am but an unworthy member of the legal bar, and know only of legal questions when they come before a court of justice. And, sirs, there is no affectation, when I say that I approach this part of the investigation with great diffidence. And I wish you to take the questions themselves, and see what they are, and how far the orthodox party themselves, come up to the standard which they have pretended to erect, and then say how far we have deserted that standard, and how far we are answerable for one or more individuals.

You will remark, sirs, that they have selected three given doctrines, and have attempted to bind our consciences to the standard of those doctrines. They do not complain that we are generally heretical; but that we are heretical in relation to two or three points of theology; and the consequence of our being heretical in regard to them, is such that we are to lose our property.

Now sirs, if you permit me to take the presbyterian church, and take their confession—take for instance, the doctrine of election and

reprobation, and demand that every individual belonging to that church should acknowledge such belief, or be considered no longer in connexion with that church; it would sirs, scatter the presbyterian churches throughout this union. If I take up the thirty-nine articles of the episcopal church, and bring the consciences of the members up to that standard, I shall prostrate the episcopal churches. And I care not what denomination it is, if you will let me bring them up to the peculiar standard, they will not bear it. And no party should be permitted to call any denomination of christians to account, and say that part of them are heretical, because they do not believe in each and every one of these doctrines. But let us look at the views of the orthodox.

The first doctrine to be considered is the *trinity*. What is the doctrine of the trinity? As understood from the middle of the second century down to the present moment, it means the existence of three persons in the Godhead united in one. A triune God; and it means nothing else.

This doctrine sirs, was not a subject of debate during the first, and a part of the second century of the christian era; either because the doctrine of the trinity was then unknown, or because the doctrine was not then denied. The dispute respecting that doctrine rose towards the commencement of the third century. Tertullian in the second council of Constantinople, proclaimed the trinity. And Tertullian was the first who used the word *person*, in the doctrine of the trinity. But from those days to this moment, no trinitarian has denied the use of the word, or something which corresponded to it. But there has been a perfect uniformity upon that point among all languages, and among all trinitarians. The words person, *upostasis*, and prosopon, were the terms by which the idea of the trinitarian was expressed; the Greek word *upostasis* was used in the eastern, and the Latin word *person* in the western empire; both used to explain the same idea. This word was perhaps used incautiously, and from the paucity of human language, when applied to a doctrine so great and mysterious as this. But it was intended to convey the idea of the ancient fathers of the church, and from that time to the present has been used with one distinct purpose and object.

In the early period of the church, the Sabellions and others denied the existence of any real distinction in the Godhead, and asserted that the Father, the Son, and the Holy Ghost, were but attributes of God; that they were terms to signify the different ways in which God had chosen to reveal himself to mankind, or the different relations which he bore to man, and in which he acted towards man. But the believers in the trinity were not satisfied with that distinction. They used the term to express a real, not a nominal distinction. And although they admitted that God was numerically one; one in essence, and one in attributes, yet they considered that the Son and Holy Ghost do in some respects truly and really, differ from the Father—not nominally and logically, but so in reality. They meant to convey and really believed

in a clear and marked distinction, between the persons of the Godhead. In other words, permit me to express what I understand by the trinitarian doctrine. It is the true God existing in a trinity of persons, viz. the Father, the Son, and the Holy Ghost. The Father is of none; neither begotten nor proceeding from any other. The Son is, in a mysterious manner, actually begotten of the Father, and is a divine person equally with the Father. The Holy Ghost is also a divine person, proceeding from the Father and the Son, from all eternity. And these three are one; the same in substance, equal in power, and in glory. This sirs, I understand to be the trinitarian doctrine. What they distinctly mean by person, or *upostasis*, or prosopon, it is not necessary for me to inquire, nor attempt to explain. This sirs, is not the time, this is not the place, nor am I the prophet for such a task. Let him who shall at any time attempt it, take off his shoes, for the ground upon which he stands is holy. It is sufficient for me, in explaining what that doctrine is, to show that all those words are intended to express distinctions, and difference in the person of the Godhead. You will permit me to use the Latin phraseology which has been used: "*per se una; naturæ rationalis individua substantiæ.* It referred to the quality whereby one differed from another, and it is an explanation, which those who have delighted to read Cicero, have found in his work. The words *prosopon* and *upostasis* are the same, and convey the same idea. The object I have in view is, to inquire into the doctrine of the trinity, so that I may apply the belief in that doctrine to the developments made by the complainants, and thereby test the value of their pretences in relation to this doctrine.

The works or references to this belief are without number. They begin with a book written by Tertullian, somewhere about the beginning of the third century, and come down to the last discussion between the trinitarians on one side, and unitarians on the other. They all sirs, are concurrent. Tertullian himself used the word person, and the word trinity. The Apostolic creed, the Athanasian creed, the Nicene creed, which was formed in the year 381—and all of them are used in the public offices of the church of England, and a subscription to them is required of the established clergy in England, and was required of the dissenting teachers by the toleration act, until relief was granted—all agree in using these terms.

The Athanasian creed has, I believe, been rejected by the episcopalian churches of America. Those damnatory clauses, so called by theological writers, were not so satisfactory here, as they were to the theologians in England. They were not prepared to copy or adopt such language as this; "except every one do keep them [having allusion to the articles contained in this creed;] whole and undefiled, without doubt he shall perish everlastingly." And sirs, I think I am not mistaken, when I assert that it has been the desire of the episcopalians of England, not to use it there; they having also become dissatisfied with it.

The last of those creeds to which I have referred, (the Nicene) uses this phraseology: "They believe in the name of the Father, Son, and Holy Ghost, so, namely, that there is one divinity, power, and substance of the Father, Son, and Holy Ghost, who possess equal divinity, and co-eternal dominion, who exist in those most perfect hypostases, or three perfect persons, so that the sect of Sabellius shall have no place, which confounds the persons, and takes away their appropriate qualities."

Now sirs, your honors will observe, that they desired by the very expressions which they used in that creed, to destroy the idea to which I referred a little while ago. The Sabellians considered these as the attributes of the Godhead. They directly opposed the views held and promulgated by the Sabellians, and they declared that it should have no place with them.

It goes on, "nor the blasphemy of the Eunomians, and opposers of the Holy Spirit prevail, which destroys the substance and nature, and divinity, of the uncreated, consubstantial, and co-eternal trinity, by introducing a posterior nature, of a different substance, and created."

Now, sirs, this is not my own language, but it is a clear exposition of the doctrine of the trinity, and is sustained by all the public professions and creeds, in regenerated and reformed Christendom. It is to be found in the Lutheran, the Westminster Confession of Faith, in 1647, the Helvetian, in 1666, by that of Basil in 1532, and by that of the Waldenses. And these embraced the belief of all those who believe in the trinity. And in them all this same language is used—they understood three perfect persons, when they spoke of the trinity.

Pardon me, while I give you the language of the English Confession of Faith of 1562. "The Father, Son, and Holy Ghost, be of one power, of one majesty, of one eternity, of one Godhead, and one substance. And although these three persons be so divided, that neither the Father is the Son, nor the Son is the Holy Ghost, nor the Father; yet nevertheless, we believe that there is but one very God."

The Westminster confession of 1647, has been adopted by all the presbyterian churches in Great Britain and the United States, and by a great part of the congressional churches in the eastern portion of the United States. And the presbyterian catechism contains this language. "There be three persons in the Godhead, the Father, the Son, and the Holy Ghost, and these three are one true, eternal God, the same in substance, equal in power and glory, although distinguished by their personal properties."

That is the language of the *presbyterian church* which I have just given to your honors.

The language of the episcopal church is, "In the unity of the Godhead there are three persons, of one substance, power, and eternity, the Father, the Son, and the Holy Ghost."

The very learned Adam Clarke, (and sirs, he was as learned as any

other man,) speaks the views of a very large and most respectable body of christians, and says, "One of the principles revealed in the scriptures, is, that in the one uncreated, unoriginated, infinite, and eternal Being, there is a plurality of what are commonly called persons, not separately subsisting, but essentially belonging to the Godhead, which persons are commonly termed, Father, Son, and Holy Ghost, or God, the Logos, and the Holy Spirit, and these are generally named the trinity."

All trinitarian sects give the same general definition of the doctrine, and its general and essential feature is, that there is in the Godhead a threefold mode of existence, mysterious to them and to all, but which carries with it the idea of an ineffably glorious society in the Godhead. This, sirs, is their doctrine, whether it be true or false.

The specific point of faith is, that there are personal distinctions in the trinity, and this is to be found throughout the whole track of christian revelation. And some do not even set the boundary there; but assert that it goes throughout the whole civilized and uncivilized, or savage world, through the whole manifestation of the feelings of human nature.

Immediately and inseparably connected with the doctrine of the trinity is the divinity of Jesus Christ. Trinitarians, sirs, unite with the sublimest of all human poets, Isaiah, in ascribing to him the name Jehovah, which is the peculiar and the incommunicable name of God himself, which imports in its very term, the necessary, independent, and eternal existence of the Most High. They thus adore him as the Lord, the Saviour, the Mighty One of Jacob, the same yesterday, to-day and forever. And while they adore him, they believe that he exists in personality—in person both human and divine; that manhood was taken into God, and that he could and did thus suffer as man for man, and merit as God to God. And they believe further, that the appearance of God himself since the fall of our first parents, is by the second person in the trinity, and he is therefore called the image of the invisible God, and through him the church on earth has a representation of him, which is not invisible. You will see in Dr. Edwards' Works, that these views are carried out with that power and force, for which that great man was so remarkable.

The trinitarians did not consider this part of their peculiar doctrine as nonessential. No sirs, most certainly not. They attached importance to this peculiar feature of the faith which they held. But they believed that upon the proper divinity of the Saviour, as well as the co-essentiality of each of the three persons in the Godhead, rest all their hopes and consolation as men and christians, and that these are to rise with it to an immortality of joy, or vanish like the fleeting vision forever.

It is no logical deduction or proof, which they are talking about; but essential as it is, they do not pretend to explain the mode or manner of the triune existence. They view it as the great mystery of the kingdom *revealed*, not *explained*, believed because it is revealed, and not

comprehended, because they have not yet seen God face to face, and do not know as they are known.

To this short statement of my conceptions of the doctrine of the trinity, it is proper for me to add, that it should not be condemned as unreasonable, because it is inexplicable. We should not condemn it so long as our feeble reason cannot explore the regions of the upper world, and while the acutest philosopher cannot explain the blade of grass, beneath his feet, nor the innumerable atoms floating in the atmosphere around him, nor the action of his own spirit upon his own body; much less can we explain the mysteries of omniscience, omnipresence, and the providence of the Most High Judge—these are reserved for explanation in eternity. All that the trinitarian can do, in regard to the mode of the existence of the three in one, is to believe and tremble. "Speak Lord, for thy servant heareth," is his language.

Now taking this doctrine along with us, which is the only doctrine of trinitarians, for there is no other, I ask sirs, are the complainants trinitarians? And I also ask, have they a right to denounce us as having departed from the true faith, and take our property away from us, because we do not believe in the doctrine, and do not consider ourselves as trinitarians?

Let me call your attention to their answer, p. 30. "In the first place although the Society of Friends have seldom made use of the word trinity, yet they believe in the existence of the Father, the Son, or Word, and the Holy Spirit."

Now your honors will observe the object and the manner of this expression, in relation to the quaker belief in the trinity; sirs, it was a deceptive and uncandid exhibition of their views. Tell me, where, and in what instance, did a quaker ever use the word trinity in expressing his ideas of this doctrine? Penn used the word trinity, but not in conveying his own ideas, his own opinion on the subject, but in allusion to the belief of others. And therefore, when they tell you that they *seldom* used the word trinity, they want candor. I answer for them,—no quaker ever used the word trinity to explain his belief. He has used it to avoid conclusions which might be made against him in consequence of some language which he uttered; and your honors have not seen one line of all those ancient books, which have been exhibited here during this controversy, in which the word has been used to express the quaker belief. They should not have said, "*seldom* made use of the word trinity," thus leaving it to be inferred that they *sometimes* used it. But they have never used it, or we should have seen and known it in this controversy.

The orthodox assert, that they "believe in the existence of the Father, the Son, or Word, and the Holy Spirit." And does not every man who believes in the scriptures of truth, believe in the Father, does not every one believe in the Son, or Word, and Holy Spirit also? Where is the christian that does not believe up to that point?

They go on to say, "that the Son was God, and became flesh; that

there is one God and Father, of whom are all things; that there is one Lord Jesus Christ, by whom all things were made, who was glorified with the Father before the world began, who is God over all, blessed forever; that there is one Holy Spirit, the promise of the Father and the Son, the leader, and sanctifier, and comforter of his people; and that these three are one, the Father, the Word, and the Spirit."

Why sirs, where is the christian that does not, in his mode, believe in all that matter? The difference is this—it is in comprehending the various positions which have been taken, and in the mode of believing; and that mode, the orthodox have failed to exhibit to us. They have used phrascology, which might be used by various sects who are not trinitarians, and have used it with the idea that they are trinitarians; but their assertion of the fact is not clothed in definite language.

I will read further: "That the principal difference between the people called quakers and the other protestant trinitarian sects, in regard to the doctrine of the trinity, is, that the latter attach the idea of individual personage to the three, as what they consider a fair logical inference from the doctrines expressly laid down in the holy scriptures."

The trinitarian does not believe in the doctrine as a mere logical inference from the Bible. That will not do for him. He believes it is a doctrine revealed. He believes that God has revealed this doctrine plainly and clearly. They do not therefore, act fairly, in representing the trinitarian sects, when they say that those sects consider it a mere logical inference from the language of the holy scriptures. It is, with them, a direct revelation.

But I am not satisfied in regard to the mode in which they speak, where they use this language. "That the principal difference between the people called quakers, and the other *protestant trinitarian sects;*" —*other protestant trinitarian sects;* when sirs, was the quaker sect ever called a *protestant trinitarian sect?* Has this society ever been believed to be a trinitarian sect? Is it so represented in Mosheim, Milner, Adam, or Evans? And are they not spoken of, as not being a trinitarian sect, by others, who have written respecting their belief? I will not say that they never have been called a trinitarian sect, but this I will say, that in all the works which have come under my notice, which attempt to give the character of the different sects, there is no one man that has ever dreamed of calling the quaker sect, a trinitarian sect, until this unfortunate dispute arose. Therefore, whenever they use that language, they have not treated you with candor, in the exhibition of their religious faith. They never have been considered a trinitarian sect; and, sirs, there has been error in the whole world, from the point of time when this sect arose to the present moment, if the quakers have been trinitarians, or a trinitarian sect.

They say, sirs, that the principal difference between this and other sects, is, that of a *logical inference*. The principal difference is of the essence of that doctrine; and without that let me say, the doctrine cannot and does not exist. The orthodox quaker and the trinitarian stop

in their exhibition of this doctrine at totally different points, upon their views of this question. The orthodox will not inquire whether there are distinctions in the Godhead, or not; they leave that as a matter unexplained; they leave that to scripture testimony. Now the trinitarian believes that there are three persons, or hypostasis, but he does not attempt to explain what they mean. They stop at points entirely distinct, in their progress on this subject. The orthodox quaker stops far short of the great feature of the trinitarian doctrine, and I shall endeavor to show you that unless he does so, he is no quaker; he has assumed to himself a position, which is as little to be reconciled with the trinitarian, as with the quaker doctrine itself. When they refer to the language of the bible, they do nothing but what all others do; they agree in relation to the words in the bible, but differ as to the meaning which is to be attached to these words. And that is the great difference.

I am confirmed in the exposition which I have made, by the authorities to which the orthodox party refer; the confession and catechism of Barclay, and the letter to the governor of Barbadoes; in no single instance does any of these authorities, either the confession, the catechism, or the letter to the governor and council of Barbadoes, express the idea which trinitarians associate with the words and language of scripture. Therefore, when the learned counsel took those works, and exhibited the declaration, "there are three that bear record in Heaven," and stopped short of exhibiting other passages, and inferred that Barclay was a trinitarian, he gave to you that error in argument, which is usually termed a *non sequitur*. He stopped short of the proper point. How did Barclay understand those passages of scripture? Why sirs, the unitarian receives some of those passages which trinitarians quote to support their doctrine; I do not mean the one which I spoke of this morning, that "there are three that bear record in Heaven," but those about the authority of which, there is no doubt. The unitarian will receive these passages of scripture; he will admit that they are a portion of the inspired volume. But how does he believe, and what construction does he put upon those passages? He does just as Barclay did in relation to their authenticity. He admits their authenticity, but explains his own views. But Barclay does not. Barclay steps over any explanation of the use of the scripture phrase, and does not tell us how he understood that phrase. When, therefore, he uses it, there is no evidence that Barclay was a trinitarian.

I refer you to page 2, of the Catechism, and to page 106, of the Confession, which is in the same volume, and there you will find the positions on which I plant myself, in regard to this matter. He gives you that passage of scripture, without note or comment, and says he believes that passage. Well, he may believe that, and yet put a construction upon it, which would not make him a trinitarian.

But my views are supported, not only by the books to which I have referred, but by all the acts of the society, of which I have knowledge.

There is nowhere, in any of their public exhibitions of their doctrine, the declaration that they are a trinitarian sect. We learn it now for the first time; and we learn it too, when they come into a court of justice, and by proclaiming it, seek to obtain possession of their neighbors' property.

Am I not correct in the declaration which I made, on this subject. Look back, sirs, to 1815, to a work published by Jesse Kersey. It purports to be an exposition of the quaker doctrine. And this was published under the highest sanction in the Society of Friends. And this book in giving the quaker doctrine, contains nothing of that which my learned and eloquent friend told you was the great, leading, fundamental doctrine of gospel truth, and without which, there can be no faith and no salvation; that which was the beginning, and middle, and end; the alpha and omega of the christian faith. No sirs; there is not to be found in that exposition, one single word in relation to the trinity. Is it possible, if the quakers had been a trinitarian sect, that when a man was about to proclaim their doctrines, he should have omitted this great practical truth. No sirs, no sirs.

But in 1825, as late as that, after the effort was made to promulgate before the world, a creed for this society, the leader of the orthodox party in the western country, Elisha Bates, published the doctrines, as he calls them, of the Society of Friends. I endeavored to lay my hand on the work, but could not, before I came into the room this afternoon. It was I think, in 1825, or 1826, that the author of the book presented it to me. He came into the room where I was sitting, and asked me if I would accept from him an exposition of the doctrines of Friends. I received it with thankfulness, and still possess it. I knew then that there was this controversy in the society. I read the book to see what were the doctrines of this people. This work has with it the orthodox sanction. It was sent out to the world, soon after the controversy arose, with a view of conveying the opinions of the orthodox party in relation to all their leading doctrines. This volume contains nearly two hundred pages, and yet there is not one word in it, on the subject of the trinity, except at the beginning, a paragraph about creeds and confessions of faith, and at the close, the writer apologises for not considering the doctrine of the trinity. Yet this exposition was written by an orthodox partizan, and as late as 1825. I ask, if they were a trinitarian sect? If this was a great doctrine belonging to them, would it have been possible for this writer to have overlooked it, when giving forth to the world the faith of the society, and the faith upon which he rested, and by which he hoped to be saved. There is no trinitarian that does not believe that doctrine necessary to his salvation. It is a doctrine which he never forgets in all his reflections upon his immortal destiny.

Sirs, I repeat again, that in none of the exhibitions of the quaker doctrines which I have yet seen, until the publication of this very work now before us, this very bill which has been filed, have I known this

called a trinitarian sect. If they are a trinitarian sect, I ask, why did they conceal their belief? Upon what principle is this concealment to be accounted for? Upon what justifiable ground is it, that they have not called themselves trinitarians, before the world? It is an omission truly unaccountable. It was an unworthy evasion, to speak the whole truth respecting them. But sirs, I free this people from such an imputation; they were not afraid to give their faith to the world. But that was not a portion of their faith.

My first inference is, sirs, on this subject, that the orthodox themselves, do not believe in the trinity; they have uncandidly pretended to believe that which is not a portion of their faith. What was their aim in thus acting, what object they had in view is not for me to inquire. Whether it was to play upon the sectarian prejudices, and to draw around them a greater portion of the community, I know not. But one thing I do know, that they have no right to claim the favorable feelings, and sympathy of other sects, on account of a uniformity of faith.

My second inference, is, that there can be no favorable influence for the orthodox party, or against us, in consequence of their professing to believe in this doctrine, even should we go so far, as to avow that we are not trinitarians.

But sirs, if we should make such an avowal, if we should acknowledge that we are not trinitarians, that however we may believe in the Father, as we do believe, and however we may believe in the Son as equal and the same with the Father, and in the Holy Spirit, as the same with the Father and the Son—although I should make this admission for my clients which I am not authorized to do, and declare that we believe in them as one, without personal distinction or difference, yet sirs, in making that declaration, I should be able to prove that we stand upon the ground of the ancient quakers. And it becomes necessary to look into that belief, with a view to test the claims of the orthodox party to our property; upon the ground, that this has been their sentiment from the beginning of the sect.

Sirs, I said sometime ago, and I repeat it now, that if the quaker society is a trinitarian sect, the whole christian world has been in error on the subject. They certainly were represented otherwise at the origin of the sect. The creeds which at that time existed in the world, admitted the doctrine of the trinity. The object of those creeds was to proclaim the trinity; and they rejected creeds and confession, for the reason, that they could not believe in that doctrine. And in consequence of this, they were persecuted and punished. Why were the quakers sent to the jails and dungeons of Great Britain? Was it not in consequence of their disbelief in the doctrine of the trinity, more than any thing else? They were regarded as denying it, and blasphemously denying it, too. Why was Penn immured in London, by the order of the bishop of London? Was it not expressly upon the ground that he denied the doctrine of the trinity? Was the bishop of London

incapable of telling whether Penn was a trinitarian or not, from the works which he published? Was Penn incapable of expressing and publishing his opinions, when he declared that he was not a trinitarian? And if he believed in the trinity, and was sent to prison because he denied the trinity, was he not worse than a fool not to have said to the bishop, "Sir, you are punishing me, when I am not a unitarian, but a trinitarian." Can this be possible? No sirs, it cannot be so.

The opposite party say now, that Penn was orthodox. He was an orthodox quaker, but not an orthodox trinitarian.

Sirs, in this view I desire to be as short as I possibly can. I believe I have the universal sentiment of the whole world with me, in the opinion that this sect is not a trinitarian sect, but that they have been persecuted on account of their denial of this doctrine.

I will now refer to "Adams' View of all Religions," and to "John Evans' Sketch," which give a correct view of this subject. And notwithstanding all the abuse which my friend chose to throw upon Brownlee and Cox, their writings may be considered as conclusive evidence, that the original quakers were not trinitarians. Who is Doctor Brownlee, and who is Doctor Cox? Men full of prejudice and sectarian zeal. I admit it; and I also admit, that they have not dealt out a measure of justice to the sect about which they wrote, equal to what they were entitled to; but they are men who have strong intellects, and possess minute information of the history of the Society of Friends. Men of strong capacity too, for judging, and who have read laboriously the volumes that have been published in the world. And one of them was early educated and indoctrinated in this sect, for his family belong to the Society of Friends. And should he not be able to discover whether they were a trinitarian sect or not? I admit, that we are not to go to them, and I am not willing to go to them, to form an estimate of the Society of Friends. And yet they are some guide to me, when I am inquiring whether that sect is a trinitarian sect or not. In what they have written, they have not been mistaken upon this point.

The quakers were not so ignorant, that, believing in the doctrine, they could not express it, so that others could understand it; and they were not hypocrites, who would conceal the opinion which they entertained on that point. But, sirs, perhaps it is proper to inquire a little further, with a view of ascertaining what was the doctrine of ancient Friends. And when I approach this part of the case, I do so with feelings of great dread. And I hope for forgiveness, if I should, in giving the views of the ancient Society of Friends in relation to the atonement and the trinity, utter something which may not correspond with the peculiar ideas, which the society have always entertained. But it is my duty to attempt it, seeking to give precisely, that which has been the belief of ancient Friends, in order to compare it with the orthodox standard of the present time.

In the first place, I believe they discarded, not only three persons, but all distinctions of any and every kind, in the Godhead. They discarded

all distinction and difference in the Godhead, so far as related to the divine nature itself. They looked upon it as one without division and without distinction. I shall speak presently of its manifestations to man—I am now speaking of the divine nature itself. And they discarded all these in the divine nature. They regarded it as one, without personality and distinction, and without those differences which are conveyed by trinitarians, in the words *hypostasis* and *prosopa*.

I will now call your attention to George Fox's "Great Mystery," in page 397, where he is speaking of "Christopher Wade's Book." Wade said, "The Holy Ghost is a person, and that there was a trinity of three persons before Christ was born."

To this Fox replied, "Thou knowest not him that is in the Father, in him glorified with the Father before the world began. And the scriptures do not tell people of a trinity, nor three persons; but the common prayer, mass book, speaks of three persons, brought in by thy father the pope; and the Father, Son, and Holy Spirit, was always one."

Meaning manifestly to deny and controvert all distinctions in the divine nature itself. But although they discarded that, they did admit such distinction, as applicable not to the nature of God, or the mode of his existence, but to the operation and manifestation of God; or in other words, to the divine nature as it appeared in and to man. As the Father, the Son, and Spirit, in three various operations or manifestations to man, which those words convey. Although he denied any distinctions in the divine nature itself, he admitted the three manifestations of God, as represented by the different words, Father, Son, and Spirit.

Again, sirs. They considered the text or the expression, "there are three that bear record in Heaven," as intended, in the revelation and communication to man, to convey the three manifestations or operations of the one infinite and indivisible Jehovah; as conveying to them a great practical truth, which they must feel and realize, in the work of their own individual salvation; as exhibiting the Jehovah as the creator of all things, as the governor of the universe, and at the same time, as he who offered himself, of his own unsolicited mercy, and prepared a covering for us, in our own reconciled hearts, against the penalties of the law, and thus bear record in heaven of his own mercy, and our restoration to him.

They did not believe in what is called the hypostatical union of the divine and human nature, in Jesus Christ. They did not believe in what is intended to be conveyed by theologians, in the words *hypostatical union*. But that Jesus Christ was the residence of God and the power of God, which dwelt in and actuated the prepared body of Jesus of Nazareth, in its utmost fulness; but that the word Christ was applicable in its highest sense, not to the body, but to the divine nature; that the manhood was dependent upon the Father, for all that he did, and all he had; the instrument that he used to make the ma-

nifestation of his will to his finite creatures. And when they use the term Christ in their writings, they mean the wisdom of God and the power of God, dwelling in, and actuating the man Jesus. They mean, the *indwelling*; and this term they apply to the light to which they look, and which is their guide. Hence, whenever they speak in such way as to imply a denial of the Saviour, or of the blood shed without the gates of Jerusalem, they have special allusion to the human body and blood of Jesus of Nazareth; but sirs, the members of this society do not question the efficacy of the atoning and reconciling sacrifice.

This sirs, is the view which I have adopted from the examination of their works. I exhibit it with caution and fear. But let it be remembered, sirs, that we are denounced, because we will not tell our opinions in relation to the trinity.

I will exhibit some few more of the works written upon this subject, in order to justify me in the positions which I have taken before you.

I will call your attention to Stephen Crisp's Works, page 82, where the writer observes, " The doctrines of your church also are reprovable and corrupt in many things, contrary to the scriptures. And first, in your doctrines of God, whom you say is to be known and believed on, as in the distinguishment of three persons; and herein ye teach contrary to the scriptures of truth, which you say is your rule, and by it are all such dreamers and deceivers judged, and by the spirit which gave them forth, which speaks nowhere of three persons, as ye imagine and teach, but declares of the only wise God, who is one in his being and subsistence individual, infinite, who divideth all things, and to every sort their portion; who limiteth all things, and is not limited; whose power and spirit are inseparable from him, who is the father of the spirit of all flesh, who by his power createth, and by his spirit quickeneth all living creatures, whose power is the Christ, and whose spirit is the holy and eternal life which they partake of who wait for his appearance in his power; and these doth not the scriptures call three persons, but the one Witness in heaven, which you are all ignorant of, who dream and divine to the people of a distinguishment of persons in the Godhead; therefore cease your deceit, ye deceivers and soothsayers of Egypt, and come to the light that shines in the heart, that by it you may come to the true knowledge of God, your Creator, and of his power by which ye were created, and of his spirit by which he quickens into newness of life, all those who fear him, and unite for his salvation, which now by the light is making manifest."

Thus denying all distinguishment, as he calls it, in the Godhead; denying all the attributes to the one, which are not ascribed to the other; refusing altogether, to admit the idea which is conveyed by the word trinity, and which is believed in by trinitarians.

I will also read from Penn's " Sandy Foundation Shaken," page 253. " If God, as the scriptures testify, hath never been declared or believed, but as the Holy One, then will it follow, that God is not an holy three, nor doth subsist in three distinct and separate Holy Ones; but

the before cited scriptures undeniably prove that One is God, and God only is that Holy One. Therefore he cannot be divided into, or subsist in an holy three, or three distinct and separate holy ones. Neither can this receive the least prejudice from that frequent, but impertinent distinction, that he is one in substance, but three in persons or subsistences; since God was not declared or believed incompletely, or without his subsistence."

Here, your honors will observe, that he calls that an *impertinent* distinction, which is the *very essence* of the trinitarian's faith. The writer proceeds:

"Nor did he require homage from his creatures, as an incomplete or abstracted being, but as God, the Holy One: For so he should be manifested and worshipped without that which was absolutely necessary to himself. So that either the testimonies of the aforementioned scriptures are to be believed concerning God, that he is entirely and completely, not abstractly and distinctly, the Holy One, or else their authority to be denied by these trinitarians. And on the contrary, if they pretend to credit those holy testimonies, they must necessarily conclude their kind of trinity a fiction."

Tell me, was William Penn a trinitarian when he wrote that language? Does he not tell you the doctrine is absurd? And does he not tell you that that doctrine was never revealed? And that God reveals himself in a different character, and in a different mode?

I will read further. Again: "If there be three distinct and separate persons, then three distinct and separate substances, because every person is inseparable from its own substance; and as there is no person that is not a substance, in common acceptation among men, so do the scriptures plentifully agree herein: And since the Father is God, the Son is God, and the Spirit is God, (which their opinion necessitate them to confess,) then unless the Father, Son, and Spirit, are three distinct nothings, they must be three distinct substances, and consequently three distinct Gods."

I do not mean to pursue this subject, or there are volumes lying before me from which I could read passages of strong and conclusive character, which would confirm my position; and I will give a note of them to those who wish to pursue them throughout.

I have endeavored to investigate this matter closely, and have come to the conclusion which I have given to your honors.

Those early and distinguished writers in this society, utterly discarded the idea of three persons—they discarded entirely, all distinctions of any kind, so far as related to the divine nature; but they admitted the distinction as applicable not to the nature of God itself, but to the *operation* and *manifestation* of God or the divine nature in man. And they follow out their conclusions in the manner which I have presented.

These works might be multiplied without number; but I do not wish to trespass upon the patience of the court. I will first say, that no man

can take up these books and believe that Penn, Whitehead, Fox, and Crisp, were trinitarians. They received scripture testimony, but as to their belief in relation to it, it was not like the trinitarian belief. Their construction was not a trinitarian construction.

But you will think it a little remarkable, that these orthodox trinitarian quakers should have rebuked us, for not having been willing to place in the form of a creed, our belief on this subjeet, when you look at the course which they themselves took in relation to this matter.

I will call your attention to some of their own declarations upon this subject. In volume first of the Evidence, page 144, Thomas Willis says, in relation to it, when the question is put, "Does the society of Friends hold the doctrine of the trinity, as professed by the church of England, only avoiding the use of the term *person*, as too outward and unscriptural?"

This question is put plainly and clearly. He answers to it, "We hold the doctrines of christianity as set forth and ably defended in the writings of our primitive Friends; and in an especial manner, in Robert Barclay's Apology for the true Christian Divinity."

Now sirs, they tell us that we are not willing to say what we think on the subject of the trinity, and when they are asked what their faith is, they call their leaders in this controversy, and when you put the question to them, this is the answer you get from them. If you ask them what they believed in relation to the trinity, they say, that they believe in the doctrines of christianity, as set forth by the primitive Friends. Now, sirs, do not we say as much as this? With what face can they act in such manner. And, sirs, you will remember the evasion of Thomas Willis, when this question is asked.

"Did Robert Barclay ever treat upon the subject of the trinity?"

What was his answer?

"I do not recollect such a word in the holy scriptures."

Now you see this answer; and yet these very men dare to talk of the evasion of Abraham Lower and Halliday Jackson; these very orthodox dare to speak of our concealing our opinions on that subject.

But the counsel was not satisfied with the answer to his question, and asks further:

"Did Robert Barclay ever treat upon the subject of which we have been speaking?"

And the answer is:

"I would refer thee to his own work."

Sirs, it is after such a mode of answering on their part, that we are called here to submit to forfeitures, and bear penalties, because we did not answer questions which we considered ourselves justified in not answering, before any legal tribunal. And the very men who bring us here, give us this species of answering in relation to this matter.

The counsel goes on:

"Am I to understand you as referring to Barclay's Works, as au-

thority upon this subject, without knowing whether or not he has treated of it?"

Answer. "As the Society of Friends are not in the practice of using the word *trinity*, or the doctrine of the Trinitarians, we have generally avoided much unnecessary and needless disquisition on the subject."

"Where did you learn what was the sense of the Society on the subject of the Father, Son, and Holy Spirit, if they have never entered into disquisitions on such doctrines?

Answer. "In their uniform acknowledgment and belief in the scripture testimony, as we find it."

And then he came back again to what I told you, when I referred you to Barclay's Confession and Catechism.

The questions are continued:

"What is the scripture testimony upon that subject, as received and approved by the society?

Answer. "I have before repeated the Apostolic doctrine, 'that there are three that bear record in Heaven, and these three are one.'"

Question. "Has the Society then ever expressed its sense on that subject, otherwise than to adopt the text just as it stands?"

That is coming to the essence of the thing.

The witness replies:

"We receive it as it stands in the holy scriptures."

And yet sirs, because we refer them to the scriptures for our belief, we are to suffer penalties.

There is another question which I might as well read—it relates to Elias Hicks.

Question. "How then do you undertake to say that Elias Hicks was unsound upon this doctrine?"

Answer. "We refer to the scripture testimony—the declarations of Jesus Christ and his Apostles concerning himself—and to declarations contained in Elias Hicks' printed discourses, and compare them together on the same points."

But by what standard did they compare them? Was it by the trinitarian standard, or the unitarian standard?

He gives the same kind of equivocating answer in regard to Elias Hicks, in page 147. And in page 152, precisely the same exhibition is made by the same Thomas Willis, who is put forward as a leader of the orthodox faith. And sirs, you will find, that wherever the question is put relative to the subject of doctrines, the witness refers to the ancient writings of the society, and to the scriptures. Now sirs, do we not do precisely the same? The orthodox expressly avoid giving direct answers on those points. For instance, when this question is put:

"What is the doctrine on this subject, as contained in the holy writ, according to the views of the society?"

Your honors will now observe his reply.

"They have always acknowledged that 'there are three that bear record in Heaven, the Father, Son, and Holy Ghost:" for a more clear exposition, if any be needed, I would refer thee to their standard works."

Thus, again, evading on that point.

The counsel goes on:

"Have some of those belonging to the society, that you call the 'Society of Friends,' entered into nice distinctions and logical disquisitions upon the doctrines of Elias Hicks, including that in question?"

Here the counsel wanted an answer, in relation to the great doctrine of the atonement.

Answer. "I have never had any such apprehension."

Question. "What are the objects for which, according to the doctrine of your society, Christ is acting as our advocate with the Father?"

Answer. "We have made divers exhibits of our doctrines, I refer to them for a more full explanation."

Again, sirs, in page 153, there is the same exhibition.

In pages 154–55, you have what I desire to read.

Question. "Have the Society of Friends ever held that the Father, Son, and Holy Spirit, mentioned in the text, before referred to, have individual and distinct consciousness, or any distinct manner of acting or thinking."

Answer. "We reject such anti-scriptural phrases, and of course the doctrine, if I understand any thing what it means."

Here you find them utterly refusing to approach the doctrine of the trinity in any form, yet demanding of us forfeitures, because we declined approaching the subject. Again the counsel asks, in page 155.

"Do the Society of Friends now believe, or have they ever believed, that the outward body which was born of the Virgin Mary, is now our mediator and redeemer? He answers:

"As the distinction now appears clearly drawn between Jesus and the Christ, and we having ever owned but one, we have never divided the true Christ, nor held up any such doctrine."

You can plainly see the course taken by the witness. I want your honors now to permit me to read from page 167. The question is put:

"Have then the Society believed in what is called the hypostatic union, or substantial Oneness, of the two natures in Christ; human and divine?

This is a portion of that doctrine, directly and unavoidably.

He answers:

"We are accountable for those doctrines which are found in the standard works, we acknowledge, and leave others at liberty to charge any doctrines upon us which are found in the works thus approved, and as above exhibited; but we do not hold ourselves bound to answer any more such logical and unnecessary questions as this, until there is a fair ground in those works brought against us to base the question upon."

There you have it. In their bill they say they are trinitarians, and they call this man Thomas Willis to prove it. And there is his answer. In their bill they demand that we should be excluded from communion with them, and bid us stand off, as unholy, because we did not explain our views of the trinity. And there are their answers. Are they fraught with evasion? And sirs they meanly presented themselves before this court as trinitarians. in order to place us in the situation in which they have so arduously labored to place us. Their conduct, sirs, is too mean, to entitle them to the name of quaker, or the name of christian.

But Thomas Willis was not alone. Let me call your attention to what is said by Joseph Whitall, on this subject.

In page 231, 1st vol. Ev: the question is put:

"Were they not careful to express their doctrines in the language of the scriptures, instead of the interpretations of men; and did they not thereby avoid much occasion of schism?

Answer. "They were remarkably careful in those respects; and to declare disunity with the interpretations of men not enlightened by divine truth.

Question. "Does the witness mean to be understood as saying, that those he says have seceded, do not believe in the scripture trinity, of the Father, Son, and the Holy Spirit, and that these 'three are one.'

Answer. "I do certainly believe, that Elias Hicks did not hold that doctrine, in the manner ever held by Friends."

Mark the question and the answer. Joseph Whitall says in reply to the question, "I do certainly believe that *Elias Hicks* did not hold that doctrine," &c. He was not asked that question, but he could not miss the opportunity of saying something against that great and good man. And, sirs, Joseph Whitall will pardon me for saying that he did not understand himself, or the doctrine he was talking about. He was speaking of a subject which has divided the whole christian world; and of a doctrine which did not deny the divinity of Christ. It was a question relating to the human nature of Christ; and whether it was peaccable or not according to the views of some theologians, I will only say that Elias Hicks thought on this question as many theologians think, who are very orthodox in their belief. He did not understand himself, or he wished to avoid that question; and you may place him in either dilemma.

In page 233, the question is put:

"If the fleshly body was not God, could it be one with God, or one of the Holy Three."

He answers:

"If I have understood Friends correctly, they have admitted a distinction between Christ and that prepared body; but never have consented to divide Christ from his body. Friends have always been exceedingly cautious on this great subject of the holy scripture three, that bear record in heaven: and have acknowledged it to be *a mystery beyond finite comprehension.*"

Now you will be good enough to pay attention to that answer. He acknowledges himself, the difficulty in relation to it, and mind you, he is one of those, who undertakes to condemn us for the very same thing.

Another question is asked:

"Have they not understood that the apparently contradictory texts, that 'the three that bear record in Heaven are one,' are but different manifestations of the same eternal omnipotent, omnipresent, spiritual God?"

Now what is his answer to that question? Here is a question that contains the quaker doctrine, and what is his answer?

"I do not at present recollect any such explanation."

I shall leave you to draw your own inferences. It is not necessary that I should make any comment, upon the course pursued by these witnesses.

I will now look at Thomas Evans' testimony, in page 292.

Question. "If you hold that there is no contrariety of will in them, do you hold that they are, in any manner distinct?"

Answer. "We have always denied that the Deity consisted of *distinct* and *separate* persons: and while we have believed that there were *three*, have as uniformly maintained that those *three* are *one*."

Counsel. "The question is not fully answered."

Witness. "If the counsel will explain his meaning of the term *distinct*, as used in the question, I will endeavor to answer further."

Counsel. "The question is, do you hold that they are *in any manner distinct?*"

Witness. "I have already stated that the Society of Friends do not believe that there are *distinct* and *separate persons*, in the Godhead; and have answered him in scripture terms as regards what the society do believe; if he is disposed to dive further into the subject, than the Holy Spirit has seen meet to reveal it to us in the scriptures, I cannot follow him in what I consider an unwarrantable curiosity."

Now sirs, when any of those men are asked as to their mode of belief in relation to the trinity, they will not tell you—they do not tell you. They either quibble, and avoid the question, or shield themselves in a covering which is not to be penetrated by the ingenuity of counsel, however great. But I must proceed.

Sirs, I have done with that doctrine, as far as I propose to pursue it. I have exhibited what I understand to be the doctrine of the trinity. I have shown what has been exhibited by the complainants. I have given what I consider to be the views of the early fathers in this society, and what they believed about it. Let me again ask you, have those orthodox a right to our property because we do not answer to this question of the trinity, when they refuse to do more than ourselves?

The next question is the doctrine of the atonement. It is, I am well aware, a difficult task, but I must encounter it, and give you an exhibition of what I believe to be that doctrine.

The great mass of christians, understand by the atonement, the satisfying of divine justice, by Jesus Christ giving himself a ransom for us; and thereby releasing us from punishment. This is what has been understood by others—that by Jesus Christ giving himself a ransom for us, and undergoing the penalty due to our sins, he has released us from that punishment which our sins merit, and which might very justly be inflicted upon us.

The original translated atonement, signifies covering. It conveys the idea, that by the act that was done, we are covered from the avenging justice of God. The word also in one place, where it is used, *Romans*, 5th chapter, 11th verse, *katallagen*, is incorrectly translated from the original. In that passage it means, purely, distinctly, and simply, reconciliation. And sirs, it is in that aspect, that the quaker regards the doctrine of the atonement. And he regards it, according to the original word, in which it was conveyed. This idea of atonement, sirs—of reconciliation, is to be found repeatedly in the Bible. And in this language: "By Jesus Christ we have received the reconciliation."

And that idea has two aspects connected with it; and the first, is *expiation*, which means the act of doing that, which furnishes a just ground or reason in a system of judicial administration, in earth or heaven, for pardoning an offender. It is the act that furnishes ground for pardoning guilty man. That is the atonement, in the aspect of *expiation*.

But, sirs, as in pardon which is extended to a criminal, there must not only be the act which causes the pardon, but also the gracious disposition in the ruler, by which this inclination, or willingness to pardon, is produced.

The idea of atonement has another aspect; and that is *propitiation*. The former, is *expiation;* the act, or ground, or reason, in the system of administration, by which a criminal should be pardoned. And the other is the act which disposes the judge or ruler to pardon. Propitiation is that, which has the property of disposing or inducing the judge to admit that expiation. The one is the act, the ground; the other is the motives which admit that ground as the valid reason for giving pardon to the offender.

Therefore in these two aspects of the atonement, the first regards the condition of the offender: that is *expiation*. The second, regards also the feelings of the sovereign: that is *propitiation*.

Now, sirs, the same thing may be, and it is fit that it should be, both the reason and the motive for the pardon. Hence satisfaction is the ordinary doctrine of atonement with christians. That the sacrifice of Jesus Christ was the payment of a debt, for a broken law, which man justly owed, but was not able to pay. The doctrine of atonement embraces in the consideration of many christians, this idea of satisfaction, which is a debt paid to divine justice. And it is connected with the idea that God made a display of his justice, as well as his mercy, in

that transaction, and that without satisfaction there could be no pardon. But this is not the quaker idea.

I ought to have said, that connected with this doctrine, is the belief, that the righteousness of the atoning sacrifice has been imputed to the offending subject—that that satisfaction has been paid, and the merit of the sacrifice has been imputed to the offender, as the operation both of the expiation and the propitiation. But in either aspect all trinitarian christians agree.

Your honors must have perceived, I think, in reading the passages from various authors, who wrote in the early days of the society, that they every where resist with earnestness, this idea of satisfaction to an offended God; in express terms they deny it. They say it is contrary to the terms, dispensations, and government, of their Maker. They consider it in the light of a reconciliation; and a reconciliation not of an offended God, who always loved, and who is always open to forgive his offending creatures, but a reconciliation of offending man to his Maker.

The reason and evidences of this doctrine, in the character of a reconciliation, they believe, (and so do others, in relation to their belief,) to be scattered through all the types, and ceremonies, and prophecies, of the holy volume, and in the acts and words of the great Sacrifice himself, and they look to it as their only ground of confidence, and hope of escape from the terrors of a guilty conscience, and the awful retributions of the eternal world.

Now if this be the doctrine, which I have exhibited to you, I ask, do the orthodox party mean, or do they not mean by the language which they have used in their bill, to express the idea of satisfaction, or the imputation of righteousness. If so, they do not agree with Barclay, Penn, and Whitehead.

I will not read their bill, because it has been read repeatedly, and it may, or it may not, mean this. And that is my objection to that bill. It may, or it may not mean that this great atoning sacrifice, was a satisfaction to offended justice, and that by the imputation of the righteousness of the sacrifice, the offender is to be considered worthy and fit for that pardon. They ought to have told us what they meant by this.

But I do not mean to leave here, the quaker doctrine of atonement. I repeat again, I know not but I may err at every step, in attempting to give the peculiar views of this society, but I give you their belief in the doctrine, as I have drawn it from their works.

The early quakers did believe in the atonement, but it was part of their fundamental truth, the light of Christ in the heart; for it is that very light, that very power, and that very Christ in the heart, which atones and reconciles the heart to God. That truth I exhibited to you some days ago. With them, the light of Christ within is a portion of the doctrine of atonement, and in that way we believe in it. They believe that man was in a state of rebellion from, and could not be restored to peace with his Maker; and in producing this reconciliation,

it was necessary to produce this atonement in his heart. That man might be altered and renewed, and this being done, the covering has been thrown between him, and the primitive justice of his God.

And, sirs, in this great work, they believed that there was no change in God himself. He was from everlasting the same unchangeable and merciful Jehovah, always waiting to be gracious, and seeking to reconcile his offending subjects to himself, and demanding only, their repentance, and renovation, and love to him.

Then their atonement did not depend on God's receiving satisfaction for offended justice; they believed further, that man could not produce this change in himself, without the aid of his Father's love. And to enable him to effect this great and merciful object, in the councils of eternal wisdom, and the overflowing of his never-ending love, he proposed the mission of Jesus Christ, and in his sufferings and death, made a sacrifice which was well pleasing in his sight, and which should instrumentally change the heart of man, and bring it back to God; but in this, they do not believe that there was a change in the feelings of the Most High, that it made him love, where he once hated; no —they believe him to have been the same unchangeable being, from everlasting. And in that way, they believe the atonement was made for the sins of men.

Thus they believe, that Christ was the effect of God's love to man, and not the cause of it; and that he was the expression of that love; and that God was in Christ, reconciling the world to himself, and not himself to the world; and that through this instrumental cause he did produce reconciliation and reformation, and that these precede the atonement or unity to God, and are not consequential to that atonement. And that is one of the strong features of their faith on the subject of the atonement. They believe that we are not justified by the imputation of the righteousness of Christ, except as it is experienced in our own hearts, and our obedience to the will of God, produced by himself, enabling us to keep his commandments, and abide in his love.

The court will perceive that this is the doctrine of early Friends, and which we hold; it does not deny the divinity of Jesus Christ—it does not deny the divinity of our Saviour. No, sirs; it humiliates man to nothing; it elevates Christ as the very essence and expression of the love and power of God. It is God himself that acts, that offers, that makes and receives the sacrifice.

And, sirs, as it regards the outward body, the outward actions and sufferings of Jesus, whatever we may attribute to them as the remote procuring cause of the penitent state of our own minds, and in consequence of which penitence, God exercises his free mercy in our forgiveness, it is God that worketh all in all. This power communicated, dispensed, and bestowed upon man, is man's Redeemer. Beside him, there is no other Saviour. That power is Christ. It is the light which came into the world, and entering the heart, there atones, mediates, and prepares the ransom, restores man, and reunites him to his Maker and his God.

Hence this power, this Christ, is called the life, the word of reconciliation; and looking to the phraseology of the law, to legal figures which were emblems of spiritual realities, and looking to the ancient types, it is said that the blood was the life, and that without its shedding, there was no remission; the blood of Jesus, the blood of the cross, the blood of the covenant, and the blood of Jesus Christ, the Son, cleanses from all sin, when we walk in the light, and have fellowship with God, for God is light, and in the light.

I ask then, did the quakers deny the holy mission, the atonement, the reconciliation produced by God, when they declined to look to the outward temple, to the outward sacrifice, to the blood which was shed, so far as it partook of the blood of the outward, human body, as being sufficient to produce the great work of restoration and reformation? No, no. They meant no such thing. They looked through the instrumental cause, the human blood which was shed, to the Great I Am, who directed it, and to the love which produced that instrumental cause, a law which acted not alone since the sacrifice at Jerusalem, and for those that came after the sacrifice, but for all who seek in the right way; all who thus seek, may enjoy its blessedness, and those who will not, must perish.

Sirs, if Elias Hicks, and the sentiments he uttered, could be brought to this standard, I am sure you would think him not unworthy of connection with the society who hold the doctrine which I have been endeavoring to explain.

Whether that doctrine be true or false, we are not bound to judge. It is enough that it is the belief of Friends. And if I understand correctly, it is that which the great Society of Friends now hold. I speak not of the orthodox party, but of the great body of Friends, throughout the world. One thing I can say of it with confidence. If I understand it, it is a doctrine of humble faith, and merits no human penalties, for its profession.

Sirs, the orthodox party, in their bill, do not pretend to explain their views in relation to the atonement. All that they can say is this; if they have any other atonement than that, they have not the quaker atonement. It is a necessary emanation from the doctrine of Christ within. It is connected with it, and necessarily results from it. No man can believe that the light within, that the Christ within, is in his own heart, there revealing to him the sacred doctrines of the sacred volume, without looking at the question of the atonement as I have presented it. And they who pretend to have any other doctrine, must cease to be professors of, and believers in that light, and that Christ within, which is the distinguishing feature of this Society.

Sirs, I think I have cause to complain of the courses pursued by the orthodox party. They have treated us in regard to this subject, just as they did in relation to the trinity.

Permit me to call your attention to a few passages in the testimony of the orthodox witnesses, to see what they say on the subject. In

page 167, of 1st vol: the subject is presented by Thomas Willis; and he declines going into an explanation.

Question. "You have declared that Elias Hicks, when speaking of Jesus, said, he, (Jesus) steadily kept in view his entire dependant state; does your Society believe that Jesus was independent of his Father, or could he do any thing without his assistance?"

Witness. "What dost thou mean by *Jesus?* that I may be prepared to answer the question distinctly."

Counsel. "I use the witnesses own word, and he may take it according as his own society understands it."

Witness. "We believe that our Lord Jesus Christ is the Saviour of man, according to scripture, who died without the gates of Jerusalem for our sins, and rose again, that he was 'one with the Father;' that he ascended up into heaven, where he was before, and who in a divine revelation, appeared to his own servant and apostle John, saying, 'I am Alpha and Omega, the first and the last.' The apostle, he turned and saw in the midst of the seven golden candlesticks, one like unto the Son of man. And when he saw him, says the apostle, 'I fell at his feet, as dead, and he laid his right hand upon me, saying, fear not, I am the first and the last, I am he that liveth, and was dead, and behold, I am alive forever more; Amen, and have the keys of hell and death.' Our Society receive and believe the scripture doctrine, that '*Jesus is the Christ*;' we do not divide between Jesus and Christ."

This is the species of answering, which he gives. You will observe that this question of atonement is directly connected with the divinity of the Saviour.

The counsel continues.

Question. "Do not the society believe, as Jesus has himself said, 'I of mine own self can do nothing, the works that I do, I do not of myself, but the Father that dwelleth in me, he doth the works?' "

Answer. "In the glorious union of the divinity and humanity of Christ, in the outward manifestation, he sometimes speaks of himself, in relation to his divinity, at other times of his humanity; these words are more particularly in relation to his humanity; at other times he speaks of his divinity, and oneness with the Father. We do not divide between the two, nor enter into such disquisition, as to say, that the humanity alone could act of itself, and perform those works, without the union of the divinity, in which he was one with the Father."

Now sirs, I have not time to read all of this singular species of answering that I would wish. But your honors cannot fail to see and understand the object of these witnesses. We have the same difficulty in relation to the atonement, that we had in regard to the trinity. In one place, where the counsel was inquiring of one of these orthodox witnesses, in relation to the atonement, how it was, and what it was, that produced the reconciliation, whether it was the blood shed without the gates of Jerusalem, or whether it was the indwelling spirit which produced it, he could not get an answer from the witness in relation to it. Nor have the orthodox party given that expla-

nation. They say they believe in the atonement. And we ask them, "What do you mean by it?" and they do not answer. We desire to know what the orthodox party mean, in relation to this great question of the atonement; and they refuse to give us any satisfaction. In page 152, the witness is asked:

"The witness has used the terms, 'Advocate with the Father,' will he be pleased to say, whether he used them with any definite meaning which the society holds on the subject?"

Answer. "I did not undertake to define on this subject, any further than is defined in the holy scriptures, and acknowledged by our society.

Question. "What are these terms acknowledged by the society to mean?"

Answer. "I consider it more proper for me to refer to the exhibited doctrines of the society, than to enter far into the disquisition of the subject."

Now the Court will perceive they refuse to enter into any disquisition of the subject, and that they will not make logical inferences, and yet they will push human penalties on us, because we do not do it.

And this same Thomas Willis, in page 144, 148, 149, 150, and 152, uses the same evasion, in regard to this question. He believes in the doctrine of the atonement, and there ends it.

I will call the attention of your honors to page 155.

Question. "Do the Society of Friends now believe, or have they ever believed, that the outward body that was born of the Virgin Mary, is now our mediator and redeemer?

Answer. "As the distinction now appears clearly drawn between Jesus and the Christ, and we having ever owned but one, we have never divided the true Christ, nor held up any such doctrine.

Question. "Will the witness please to give a direct answer to the question?

Answer. "They have never held up any such doctrine."

Here the counsel was endeavoring to get at the peculiar mode of belief of the quaker sect, on this subject, and you have heard the answer of the witness.

I will ask you to refer to the testimony of Joseph Whitall, page 229. William Jackson, page 106. Joseph Whitall, page 232, and 234, where he speaks of the body of Christ, and to 237, where he refers to the writings of Barclay. And I will ask your honors, if we do not do the same? And to page 243, where he exhibits himself in a dilemma, in relation to the Saviour.

Had I time, sirs, I could exhibit to your honors, many passages in the testimony of the orthodox witnesses, equally indefinite, and equally singular, with those which I have read. I hope you will turn to those, to which I have made reference, and there I am sure you will have no difficulty in perceiving the evasion in the answers of the other

party, when they were inquired of, respecting their belief in relation to those very doctrines, in regard to which they denounce us, as being infidel, and therefore, wish to deprive us of our right to the property. I shall proceed, and leave you to draw your own conclusions.

I believe I ought now to exhibit to you some passages from the writings of the ancient authors in this society respecting this doctrine of the atonement; but perhaps the better mode will be to present them in proper order to-morrow morning. And by this remark you perceive that I expect to detain you through to-morrow morning. But in relation to the scriptures, I shall detain you this evening.

According to the views of christians every where, the scriptures are regarded, as the declaration of the will of God to man, unfolding and revealing to him, his nature and condition, as well as his hopes and destiny. They record the dealings of the Most High with his finite creature man, and are sustained by evidence more powerful and ample than can be adduced in support of any human history. They have obtained the belief of all those who bear the name of christians. That volume appears to be a standing miracle, which of itself alone, must operate upon the belief of every human being who reads it. It contains, sirs, sixty-six different books or works, and they were written through a period of fifteen centuries, in various languages, and yet there is not a contradiction in them all, when properly understood. If that be not a standing miracle, which should demand the faith of every human being, I know not what evidence can do it. Before this came, sirs, it was not Plato alone, to whom the expression of Lactantius might apply, but rather to all. *Somniaverat deum*, *non cognoverat*. It produced, alone, the knowledge of the true God.

Therefore, when any sect of christians say they believe in the scriptures, what can they tell us, more than any man who calls himself a christian. But the modes by which we express our belief in relation to these writings are varied, and the precise import of the language by which we convey our confidence in them, is not always the same. They have been called the inspired writings, the word of God, and I think there are a great variety of expressions by which we convey to others our views of that volume.

But Friends do not admit them now, nor have they ever admitted them to be the word of God. Elias Hicks did not admit them to be the word of God. But they do not mean to deny them as being inspired of God. They have two reasons, for not calling them the word of God. The first is, that that expression applies to God himself, to Christ, to the inward light. The second is, that they were the words of men, written under the direction of God, but not in the language of God himself.

Now with regard to these scriptures, it is necessary to detain you but a few moments, to explain what is the quaker belief in relation to them. They believe them to be an account of the dealings of God with man. That they were spoken and written by the movings of

God's Spirit; and that whatever is so given, is profitable for instruction in righteousness.

And in the second place, they hold, that as they are testimonies of the truth, they cannot give or convey a knowledge of the truth; but this must be given by the author of the testimony himself. That is their distinction; and that is a distinction which the quaker always makes, and which will relieve Elias Hicks, from the imputation cast upon him, though I am not here to be his apologist.

And further; that these Scriptures springing from the fountain itself, cannot rise higher than the fountain. And that they are not the fountain, and cannot therefore be considered as a sufficient, or adequate, or primary rule of faith, nor the chief ground upon which that faith is to rest; but this rule or ground is the spirit of God himself; that it is this spirit, that gives light to every man who rightly seeks it, and by which alone the scriptures can be rightly known, and understood.

This spirit, this testimony, this revelation in the heart, is the guide to all truth, and gives the rule of faith and life, and where the scriptures are depended upon as that rule, they are exalted above their proper place. For it is a truth, that the letter killeth, and it is thus that they are made to assume the office, and the place of divine light or guide, which is the alone infallible teacher of the way to God. And hence they regard that light, as the first, the leading, the great controlling principle in all things; they look to it as that which is to guide them in all their searchings after truth, and they believe that it will, if closely followed, lead them into joy and glory. They consider that the scriptures which were dictated to man, cannot be looked to as the first rule, by which they are to be guided. But that it is a direct revelation to their hearts, it is the light, which is to be their rule. But, sirs, they read the scriptures, and that often; but to be profited thereby, they consider that it must be done, with the aid and assistance of that light.

Now, your honors cannot fail to perceive that this view of the scriptures is the necessary result of their fundamental truth. You observe, that at every step in my argument I have to recur to the great fundamental truth, which is the characteristic distinction of this people. And now, sirs, it will be perceived, why I discussed that great fundamental doctrine with so much care; we must apply it at every step; to all they say, to all they think, and all they do. And now let me add, that I think there is no religious society under heaven, more consistent in their opinions throughout, than the society of quakers.

This belief in the scriptures, is the necessary result of the quaker faith. If it be true that a measure of this heavenly light is dispensed to every one, if it be true that God does make immediate revelations in the heart of man, that revelation being God himself, must be the guide, and all other things, no matter whether they be the scripture or not, must be secondary to that great fountain.

But, when I say this, I do not mean to say that they depreciate the scriptures. No sirs. They regard them as useful aids and tests of opinion and belief, and as a means furnished by God, to test and try the revelations which are made to man, and which may be believed or affirmed to be from God himself.

It is in this light that Friends view the scriptures; and whether true or false, I repeat again, it can afford no reason why their civil rights should be forfeited.

Sirs, this is precisely the view given in Mosheim's History. I am aware that it is rather late, but I shall have finished upon this head in a moment, and I desire to get through with this portion of my argument, this evening; you will observe that I have given you precisely the same views as you will find in Mosheim.

After Mosheim's History was first published, they desired to protect the society from some misrepresentations and imputations which were cast upon it, and sent an expression of their sentiments to the publisher of the work. Permit me to read to you, that minute, which will show the view with which they look upon this subject. This will have a twofold operation; it will go to show what were the views which the society took in regard to the scriptures, and how untrue and unsubstantial were the pretences which were made for publishing an exposition and creed, when the writings of Paul and Amicus appeared before the world.

In this work, they were denounced as being heretical and deistical. This minute was sent to the editor, and I beg your attention, while I read it.

"We believe the scriptures of the Old and New Testament to be of divine original, and give full credit to the historical facts, as well as the doctrines therein delivered; and never had any doubt of the truth of the actual birth, life, sufferings, death, resurrection and ascension of our Lord and Saviour Jesus Christ, as related by the evangelists, without any mental or other reserve, or the least diminution by allegorical explanation: and there is not, nor ever has been, any essential difference in faith or practice between Friends in Europe and America; but a correspondence is regularly maintained, and love, harmony, and unity, have been preserved down to this day; and we hope and believe, under divine favor, nothing will be able to scatter or divide us.

"We do not wish to meddle with those, called mystics, or to adopt many of their expressions. We presume there were sincerely religious people among them; but we think religion is a simple thing, the work of the Spirit of God in the hearts of men; and as to our tenets and history we refer to Fox, Barclay, Penn, Sewel, Gough, &c. and declare, that we never had, nor now have, any other doctrines to publish, and that there are no religious opinions or practices among us which have not been made known to the world."

Sirs, they had been charged with not being trinitarians; they replied, "We believe as Fox and Barclay believed." They were also charged

with not believing in the doctrine of the atonement; in answer to that they said, "We believe as Fox and Barclay believed." They also said, "we believe the scriptures." They did not esteem it necessary to make an exposition of their doctrines; and I beg you to recollect this matter, when thinking of the orthodox exposition or creed.

They had been charged with being mystics; and they had been charged with disbelieving the scriptures; and you have heard their very appropriate reply.

Now did Elias Hicks ever go beyond that? No, no. I know very well what he believed respecting the honest use of the scriptures; and I know too, what he thought in regard to the abuse of the sacred volume. But, did he deny that they were of divine origin? No. Did he deny the truth of the historical facts which they contain? No, he never denied it.

The orthodox party, sirs, are calling on us for an explanation of our views in relation to certain religious doctrines, and condemning us, if we do not believe up to a certain standard of their own making; and when we ask them to explain their belief, they evade, with all that caution which they have exhibited throughout this controversy. They demand of us, compulsive conformity to what they say is the true faith. If you refer to the testimony of Thomas Willis, in Ev: 1st vol. page 158, you will find, that he there admits, that doctrines cannot be tested by the scriptures, without the aid of the Spirit; and in page 159, he evades a direct answer in relation to the subject. And Joseph Whitall, in page 239, refers to Barclay, for what should be believed; he says, "I believe as Barclay believed." Well, so do *we* believe as Barclay believed, and *we* say the same.

Sirs, I have done with this question. And I have examined, as far as I propose to do it, this aspect of the case. Can a forfeiture of our property take place, in consequence of any thing which the orthodox party have brought against us, as connected with our religious belief? I have endeavored to exhibit this aspect of the case fully, before you, and I hope, that I have made it plain to the understanding of every member of the court.

As I wish to warn your honors of the course which I intend to take, I will mention, that I shall, in the next place, approach the subject of our being called, *Hicksites*—that as *Elias Hicks* was infidel, *we* are to be proclaimed infidel also. And, I trust, that I shall be able to give, on this point, as well as upon other points, a most satisfactory answer.

FOURTH-DAY MORNING, 14th.

I beg now to refer your honors to some passages in the writings of the early members of this society, in illustration of those doctrines, in relation to which, I detained you yesterday. I shall not take up your time by reading them, but I shall simply refer to them as containing

in a few words, what I believe to be the correct views of the doctrines held by the society of friends. Stephen Crisp's works, p. 82, and 83. Fox's Great Mystery, p. 394, 463, 464, and 396. William Penn, 1st vol. p. 252, 253, 254, 257; and 2d vol. p. 783; also in 1st vol. 269. George Fox's Epistles, p. 10 and 12. Whitehead's Divinity of Christ, p, 23 and 24, and chap. 2, p. 15, 31, 35. Those which I have mentioned have reference to the doctrine of the *trinity*.

I will now give some, which relate to the doctrine of the *atonement*. Fox's Doctrinals, p. 646. George Whiteheads' Light and Life, p. 34, 48, 49. Fox's Great Mystery, p. 287 and 446; 1st Penington, p. 266; 2d Penington, p. 517. 1st vol. of William Penn, p. 571, 573, 574. Barclay's Works, p. 358, 495, 628, and his Apology, p. 446. Stephen Crisp, p. 160; and Bailey, p. 326.

In relation to the scriptures, I refer you to Barclay, p. 296, and 297; 1st Penn. p. 595; 1st Penington, p. 11; and Burrough, p. 446 and 447. These sirs, are as plain, as human language can be, conveying distinctly and clearly, the views which I presented yesterday.

I would now recall in a few words, the attention of your honors to that great controversy which existed in the days of George Keith, which I consider as being very important in this portion of my argument. I have shown the kind of man that Keith was, and have alluded to the cause, which occasioned the division between him and the Society of Friends. He, in the first place, demanded a change of discipline, and he did it on the ground, that the discipline was too lax. He presented his scheme to the yearly meeting, and in consequence of not meeting with encouragement, he withdrew it; the society being then unwilling to draw close the bonds of discipline, which was the rule for their government. They were unwilling to draw close those obligations, which were to lay on the consciences of its members.

The second difficulty was this; he accused the society of holding false doctrines, and desired to have a creed, in order that those false doctrines might be corrected.

Those were his points of difficulty with the society in the commencement, and I explained the other day, the manner in which he carried on the controversy. I told you that he went to London, there to have the subject considered, and I informed you of the manner in which the affair was terminated. And I referred to his case, as authority by which I sustained the views which I then took. That controversy, sirs, is an extremely important matter in relation to this very discipline. Why did Keith complain that this discipline was too lax? Why did he demand that the bonds of discipline should bear more heavily? Were there any other motives than precisely those which now operate to fasten the bonds on *Friends* by the orthodox party. If there be any other reason or motion which could have operated on Keith, I am not aware of it. He thonght there was not enough of worldly authority, of force and compulsion, in the discipline. And just so our orthodox brethren think now. They wish now to ap-

ply force to our consciences; they place themselves in the same condition with George Keith.

Sirs, this Society of Friends determined, that the principle of unity produced by the light within, was the only bond and that they wanted no other. And George Keith became an exile from the society, and went where he could find a bond of discipline more strong and more tenacious, in relation to a peculiar, and more orthodox belief.

As to the doctrines for which he contended, they were those which were connected with the divinity of Christ. I refer you to his Plea, p. 11. He declared, that the light within was not sufficient without something else. I have before referred you to this volume. He did not at the commencement, explain what that something else was, but the society said, "this light within is enough, and we want nothing else, for that will guide us into all truth, that is consistent with the christian doctrine, and we look to that only, as our guide and governor." Thomas Fitzwalter and others, condemned George Keith for this. And the society reproved Fitzwalter after he had openly resisted Keith, while he was preaching; (precisely in the form in which Jonathan Evans opposed Elias Hicks.) They said "although true as is the doctrine which you take, sound as is the opposition you make to Keith, yet we reprove you because you have gone out of the bond of our unity; you have violated our discipline, by interfering with a minister while preaching these unsound doctrines." And here this volume proves the fact. And I ask you to bring to the same rule, the conduct of the orthodox party in Philadelphia.

By a reference to the account, you will find that the monthly meeting of Philadelphia, on the 26th of 3d month 1692, declared that the light within was sufficient, without any thing else, for the bond of their union. This was at that day the doctrine of the society, but, it is not now the doctrine of the orthodox party. They stand upon the ground on which Keith stood. And, sirs, George Keith maintained the same doctrine in relation to the shedding of the blood of the human body of Jesus Christ. He spoke of Christ that died at Jerusalem. He was opposed to Stockdale, who rose in the meeting and charged him with having preached two Christs, and not one. Robert Young, said the same thing. He was also resisted by Thomas Lloyd, who stood high in the society, and who was at one period, the acting Governor of Pennsylvania, and the representative of William Penn. And Humphrey and others, did the same. And the whole of them showed what they understood by the Christ without, and the Christ within. They charged Keith distinctly, with preaching two Christs. I beg to refer you to pages 4, 5, and 6, of Keith's Appeal against the judgment of the twenty-four Judges, who first condemned him. Gough, p. 339. To the Judgments themselves, p. 2. His Plea for the Innocent, p. 18. Gough, p. 325, and 326.

Now, sirs, there must be upon this point, one of three conclusions. That the views which I have given to the court were the sentiments of

the quaker society; or that it was not considered necessary, that all should agree precisely in their views in relation to doctrines; or that doctrines were not the fundamental truths, or principles of the sect. There is no other conclusion which human intellect can show. If George Keith, who was disowned by the society, was disowned for his doctrines, then it shows, that the society denied at that day, his doctrine respecting the blood shed at Jerusalem, so far as it relates to the humanity of the Saviour. If he was not disowned for his doctrines, and the opposite party may take it in that way if they choose, then these doctrines are not considered so fundamental, as to be the alone bond of union between the members of this sect. Sirs, you will recollect the passages that were read to you the other day, in which it is stated that William Penn called him "the good George Keith." We know that Penn had great confidence in him. But when in his preaching, he declared that he expected remission of sins, by the human blood shed at Jerusalem, William Penn who was present, so deep and so strong was his conviction of the falsehood of that doctrine, said to him, "I pronounce thee an apostate, over the head of thee." And yet the orthodox now say, that this is the doctrine of the Society of Friends. But, no sirs, it is not the ancient doctrine of the society; it is the modern doctrine of the orthodox party.

You will perceive, from the illustration which I attempted to give upon the atonement, that this language of William Penn does not prove that they are infidel in relation to the doctrines of the Saviour; that they deny his divinity. But they rely upon him, in his inward appearance; in that way they look to him and to his light, as their only Saviour; as their only hope. They do not look at this matter, as the orthodox look at it, or as George Keith looked at it in his day.

With regard to the idea which he had in regard to a creed, you will find it distinctly explained, in his Plea for the Innocent, page 15, 16, 17. And in Gough, page 327, and 329. He proposed "to draw up some principles and doctrines of faith in the most necessary things, to qualify our church members, and distinguish believers from unbelievers." He wished this because they had no such creed. Just permit me to repeat this again. "To draw up some principles and doctrines of faith in the most necessary things, to qualify our church members, and distinguish believers from unbelievers." Can a description better apply to any thing, than this applies to the creed drawn up in 1822, and which produced the difficulties in 1823. He says "*some principles and doctrines of faith, in the most necessary things.*" Well sirs, for what object? "to qualify our church members, and distinguish believers from unbelievers." For what purpose did Jonathan Evans, and Samuel Bettle and the rest of the ministers and elders in Philadelphia desire that exposition? Was it not that they might distinguish the believer from the unbeliever? Was it not that they might have an outward test by which they might try the faith of individual members of the sect? In what respect are they to be distinguished from George Keith, on this point? If there is a distinction, let them explain it.

The views of George Keith cannot be mistaken on this point. The yearly meeting of Rhode Island had published a short article, which is in evidence here, and Keith desired to have it printed. And sirs, the very printing of that document which had come from another yearly meeting, was condemned by the quarterly meeting of Philadelphia, because it partook too much of the character, and seemed too much like the establishment of a creed. Keith printed it, and was condemned for printing it, by the quarterly meeting of which he was a member. And probably it contained no false doctrine; I have not examined it, but that is not important.

Sirs, when he thus pressed upon them, the meeting of ministering Friends, on the 20th of April 1692, in Philadelphia, in order to relieve themselves from the difficulties which his perseverance and obstinacy were producing in the society, said they were willing to draw up something, and give out a confession on the subject. But of what kind? provided it was in the very words of scripture. And that is the point upon which they put it. It was to be in the very words of scripture, and beyond these words they would not go. Have not the orthodox party gone far beyond that point? I refer you to Ellwood's Epistles. I refer you to 3d Gough, page 355. 1st Penn, page 750, in relation to this matter. What is the answer which Keith gave? It is here, sirs, and has been read to you. What was it? He said to them, that they would have no guide in such a creed as they proposed, for papists, socinians, and muggletonians would adopt such a creed as that. He was dissatisfied and could not accomplish his purpose; such a creed or confession would not answer his views; but it accomplished all that Friends then, and all that Friends now can permit, so long as they remain faithful to the fundamental principles of their society.

Sirs, I have done with that part of my exposition which relates to doctrines. In taking the view which I have presented before you, I have had two distinct objects. First, to test the claims of the orthodox party; because in their answer, they make their claim stand upon religious opinions, and want a forfeiture from us, because we are not orthodox. I have desired to show that their claim, that the foundation of their claim, is unsubstantial. Whatever liabilities we may be exposed to, on this ground we can be liable to nothing, upon the demand of those, who themselves are not sound in the faith of their own society.

In the second place, to show what was the real belief of quakers, so far as I have been able to investigate and comprehend that belief, in order that they might stand before the court on the true and ancient ground; that whoever they are, and wherever we may find them, we may measure to them that which justice demands, and which the position they occupy, entitles them to. But we must understand them; we must first know what they are, before we attempt to administer to them a rule which may be falsely and injuriously applied. But it has not been my purpose to declare, that these doctrines are those of my clients alone, for I believe them to be the doctrines of the ancient Friends;

and until it can be shown that my clients have departed from these, and fully proved, they are not to bear the penalties which our adversaries have attempted to inflict upon us. If we have deserted the ancient standard of the society let it be shown. We avow before the world, that our principles are those of ancient Friends. Let it be *shown* that our avowal is false; but let it not be *inferred without proof.*

Stacy Decow has not attempted to explain, or give a full exposition in regard to religious doctrines. And how dare he do so? Who is Stacy Decow? Is he that portion of the society that has a right to speak for the whole body upon religious doctrines, and bind them by his faith? Where in the history of this society was it ever known that one man was permitted to proclaim their faith to the world? When other writers made accusations against them, and they entered into a controversy with their opposers in the early ages of the church, they did it as individuals, to defend their opinions; but they did not pretend to speak in the name of the whole society. They had no right to do so, and not one of the early members of this society ever usurped that right. No; it was left for modern times, and modern men. Sirs, if Stacy Decow had undertaken more, it would have been a violation of his principles as a quaker. On the other side, it does appear to me that those witnesses who volunteered their declarations as to the faith of this society, have violated most grossly the duties which they owed to the society. I refer you to the Discipline. It says:

"It being recommended to the meeting for sufferings to take the oversight of all writings preferred to be printed, which relate to our religious principles or testimonies; our members who may have such publications in view, are to lay them before the said meeting, for its advice and concurrence. And it is the sense of this meeting that if any one shall print or publish any writing against the advice of said meeting for sufferings, or which tends to excite disunity or discord among us, such persons should be complained of to the monthly meeting they belong to, and if they cannot be convinced of the impropriety of their conduct, be testified against as opposed to the peace and good order of the society."

What was the object of that provision of the Discipline? Was it not that no individual, except under the control of the representative body of this society, should venture to declare for the society, what were their opinions? Is not that so? Is not that its manifest object? And if it be so, however they may escape under the *letter* of the rule, under the spirit of that rule they are to be condemned. That rule looks not only to the prevention of individuals binding the society, but also to the prevention of an exposition of the society's sentiments, through the will, caprice, or interest of an individual in exhibiting their opinions either to courts or to the public, for adjudication.

Sirs, I now have one suggestion to make which appears to me to be important in the decision of this question. The orthodox party have

declared their belief upon three isolated points of theology. There has been an investigation in relation to them. Now suppose that your honors doubt whether the orthodox party in relation to these points of doctrine be sound; I mean sound as quakers; orthodox as quakers. Then on the other hand, suppose on investigation you should doubt whether the opposite party is precisely sound; I ask you, to whom you are to adjudge this property? If the doctrines of the adverse party be true, you must give the property to the orthodox; and you must believe theirs to be the true quaker doctrine, or you cannot say upon that ground they are entitled to this property, no matter what may be the relative position of the parties. And if you are in doubt as to both parties, to whom are you to give this money? Under such circumstances you can give it to no one, if the principles of the adverse party be true. What inference do I draw from this? It is a confirmation of the great principle, that a human tribunal cannot investigate those particular doctrines; that it cannot look at soundness and unsoundness of religious faith in coming to the adjudication of this question. Is my inference not sound and rational? And if it is so, what results from it?

But, sirs, there having been much complaint of Decow, in not being willing to exhibit in his answer, the views which the society hold, it is proper that I should for a minute, refer to that answer. It was read to you, in several portions, by my associate counsel, and I shall refer to it, as being within the recollection of your honors. What does that answer contain? It first, sets forth the great fundamental truth, and peculiar characteristic of the Society of Friends. It lays broad, and deep, and strong, that foundation of all their religious faith. It proclaims that as the key which is to unlock all their doctrines. It is that which distinguishes them from other sects; and having that great leading characteristic, the minor points of doctrine are of no consequence to you. In making that declaration, he embraces all the quaker peculiarities, and it is only the peculiarities which you are to seek.

But that answer does not rest in a mere declaration of their fundamental truth, it avows an humble belief in the scriptures of truth. He says, they believe the sacred volume, and receive it as it is. He does not tell you how he understands, nor do his opponents tell you, how they understand, the particular passages of the scriptures; he does not give the manner of his belief, but places himself upon that volume, and says, he believes in its contents. Is not that enough for any human tribunal in regard to fidelity or infidelity? Dare you go beyond that? You usurp the position of your Maker if you do. Stacy Decow has declared his belief in the scriptures. Have they disproved his declaration? Have they dared to deny it? Have they given evidence that Decow disbelieves in the scriptures? If they have, where is that evidence. When our property is in question, and penalties are hanging over us, it is not enough to *assert* that we are infidel. It will not do to take it for granted because the orthodox party say we are so. Their mere assertion is no proof in a court of justice. We say that

we believe in the scriptures; and have they proved that we are liars? No, sirs, they have not. They dare not do it, and have not attempted it. And yet, they ask you to believe, that we do not believe the scriptures. They ask you to found a solemn judgment upon the fact, that the allegation which Decow has made, is untrue. They want you to found your judgment upon the untruth of his assertion, without a particle of evidence in relation to it.

But, sirs, that answer does not stop there. It tells you that the discipline of the society, which has come down through centuries, is their discipline, and their guide. Samuel Parsons in Ev. vol. 1. p. 196, admits, that the fundamental principles of the society are contained in the Discipline; that the fundamental principles of the christian faith are in that volume. Well now, sirs, how do we stand in relation to that Discipline. We claim it as our guide, we hold it as our discipline and we act by it, and under it. It is our constitution, and our rule. The preparative meeting of Chesterfield, and the monthly meeting of Chesterfield, and every meeting belonging to us, have taken that Discipline as their guide, unaltered in any important matter, since the separation has taken place. The orthodox party claim the same thing. Is our pretence, is our claim, is our affirmation upon that point, disputed, or denied? Where, in the answer of Hendrickson is found a denial, that we are governed by, and receive that Discipline as a guide in all the transactions connected with our meetings? He has not dared to deny it. Many of the witnesses who appeared in this case are greatly influenced by party prejudices; prejudices which were remarkably calculated to operate upon the candor of human beings; yet, there was not one of them that dared to assert, that we have spurned that Discipline in our meeting, or that we disbelieve in its provisions.

Thanks to my learned and eloquent friend, who addressed you the other day. He spent a whole hour, in endeavoring to prove that the orthodox believed in the fundamental doctrines of the christian faith, because they believed in that Discipline. If that is true, are we heretical, when we take the same Discipline. If his argument is sound, and there was great talent and power displayed in it, I take that argument to myself. We admit and claim that Discipline as ours. Well if the Discipline proves that the orthodox entertain the fundamental principles of the christian faith, does it not prove that we believe in the same? How can there be an escape from that argument? Or is it true, sirs, that whenever there is an argument that will favorably apply to the orthodox party, it is to have power, but when applied to the adverse party, it is to go for nothing, or only to prove that they are heretics? If the argument of my friend is conclusive at all, it is conclusive for me, and I demand that you administer to me the rule which he has given, in relation to this matter.

But, sirs, there is another most extraordinary circumstance, in relation to this controversy. The orthodox have selected two or three specific doctrines, and demand that our consciences shall be tested by

them. Sirs, can that be? If a religious society entertain certain general opinions and act upon them, in relation to the christian faith, can you test that society as to their mode of belief upon a given point, and say that they shall submit to a forfeiture? I deny the right to do so.

But in connection with this, permit me to ask your attention to the first of the three doctrines which they have selected, the trinity. They talk of their being trinitarians, and of our denying the doctrine of the trinity. And how do they prove that we deny the trinity? By proving or attempting to prove something in relation to Elias Hicks. Have they shown that Elias Hicks ever alleged in a single page of his writings, any thing that has reference to the doctrine of the trinity. Well, if there be a distinction, other than nominal, in the trinity, and if their views of the atonement by the Saviour differ from his, if there be such a distinction, then I ask where Elias Hicks ever uttered a word in relation to it. They want to test our consciences by Elias Hicks' writings. When and where did Elias Hicks ever write the word, or question it, in any form. Mark, sirs, when I make this remark, I make this distinction, because they have drawn it in their answer. If the Father, Son, and Holy Spirit, are distinct, they have not proved that any human being connected with my clients, ever uttered an expression in relation to that doctrine, and yet upon that ground, they demand a forfeiture of our property. There is no evidence on this point; no, sirs, there is none. And, sirs, if what is said in relation to the divinity and atonement of Jesus Christ, be unconnected with the doctrine of the trinity, so that it stands alone, then they have selected unimportant positions to test the conscience by. If the divinity of Christ and the atonement be connected with the trinity, then we take three distinct points on the subject. They should have united them. For with regard to the other, they have not presumed to question the correctness of our faith.

Now, sirs, we must have these penalties inflicted upon us, because, as has been alleged, we have been connected with Elias Hicks. When viewing this question the other day, I showed you, that unconnected with Elias Hicks, there was not a single ground upon which slander could stand for a moment to accuse us of impropriety, yet because Elias Hicks was infidel, we are to suffer. And, sirs, suppose Elias Hicks had been proved to be infidel in his sentiments; how is it to injure us? We have denied, from the commencement of this controversy, our liability for the opinions of Elias Hicks. We have demanded that the connexion between us, should be shown. But you have heard, sirs, from the mouth of him who has represented most faithfully the feelings of his clients upon that point, (and I beg to say, that the feelings of his clients, are not his own,) that he was resolved to fasten the name of Elias Hicks upon us, and that we should not escape from it. Sirs, this language came not from the heart of my friend; had he uttered this from his own feelings, he would have done violence to that spirit of kindness which has always been his. No; that declaration proceeded

from the bitter and prejudiced feelings of his orthodox clients. I know, sirs, that he would not have a wish to deprive us of our rights. And even if we had erred, the language of his heart would be, "pardon them, and let them retain their rights." But no; as the mouthpiece of persecuting orthodoxy, he declared, that having given countenance to Elias Hicks, the grave itself should not sever the connexion. Sirs, the sentiment which the declaration conveyed was truly horrible to my feelings; it was the very essence and spirit of orthodoxy. And when I say this, let me not be misunderstood; I mean not that orthodoxy which has connexion with trinitarian opinions, or any other particular christian faith; what is orthodoxy at one time, is not orthodoxy at another. But I mean that orthodoxy, which, having power, enforces its own opinions, no matter what they may be, on those that are subject to its power. I mean the orthodoxy of that ruling power, whatever it is, and in whatever church it may be found, that attempts to force upon the conscience its own opinions. As for that orthodoxy, from my heart I detest it. It has done, what Elias Hicks said it had done. It has deluged the earth with blood. It has been with those who have had the power, declaring there shall be no repentance; and human nature has suffered from it, more than from any thing else. Sirs, I mean that orthodoxy, which finds its music in the groans, its drink in the tears, and its food in the broken hearts of its victims; and satiates its infernal rage, upon their torn members. And, sirs, even if it were true that we had erred, the spirit of christian kindness would have told our orthodox brethren to open their fold and receive us again.

Sirs, I have but a few words to say, in relation to Elias Hicks, and our connexion with him. As I have before remarked, I am not here, to be the apologist of that man, or the defender of his opinions. My clients pin their faith on no human being. They know no leader, but from above. In the days of Fox and Penn, their ancestors spurned the name of *Foxonians*, although Fox was the founder of their society. And in our day, so far as it may be applied to us, we spurn the name of Hicksite, not from any disregard to Elias Hicks, (and I insist that ye draw not that inference from what I say,) but because we are not and cannot be the followers of any man or set of men. We cease to be quakers, the moment that we adopt the opinions of any man, because he is a man of talent, power, or influence.

But, sirs, has not Elias Hicks been treated most unkindly in this controversy? If I can understand his views, (you will remember that I told you, that I was not here to defend the views of this excellent man,) they are those of the original sect of quakers, but carried out, imprudently perhaps, on some points, (I say perhaps this is so, though I do not pretend to assert it positively,) and incautiously beyond that which those who originally entertained them, intended they should be carried, but they rest on the same foundation, on which the views of Fox, Barclay, and Penn rested. He carried them perhaps, in some

points to a hazardous extent for a human being, but it was but the extension of the very principle, which lies at the foundation of quakerism. But, sirs, where shall we learn what his opinions are? Are they to be tested by his letters to Thomas Willis and Phebe Willis? Sirs, I dare not trust myself to speak of these letters, and the conduct connected with them, as I think they ought to be spoken of. How, and under what circumstances were they written? They were written, either in the confidence of friendship on both sides, or they were drawn out of Elias Hicks, under false pretences of friendship on the part of Thomas Willis. They were either the unbosoming of views and feelings, in the form of letters from friend to friend, (and then no human power should draw them from under that covering,) or they were extracted from Elias Hicks for the purpose of proving him to be an infidel, and that under the guise of friendship. Shall I dare to criticise the conduct of such a man? No sirs. Ask your hearts, whether you would treat a friend in that way? The answer will be, no, no, no.

But that is not all. It was concluded between Elias Hicks and Thomas Willis, that the letters of each should be returned. When it was resolved that the letters should be surrendered to their respective writers, Hicks, honest Hicks, surrendered all the letters which he had in his possession, having reference to the subject in question. Yes sirs, all the letters of Willis, which might have afforded an explanation of the letters which Elias Hicks had written, were given into the hands of Thomas Willis. And Thomas Willis pretended to surrender all those written by Elias Hicks; *but he kept copies!* I would speak respectfully, if I could, of Thomas Willis; but a man who could perform such an act, I would not trust with my life, my faith, or my property. In this act, he has forever forfeited every claim to high and honorable feeling; he has lost it, in essence and in grain. How could any one, merely to gratify the desire to convict a brother and a friend, of infidelity, perform such an act? And sirs, what effect can letters produced under such circumstances, have as evidence in the case before you? It was delightful to my feelings, when I saw that my friend, whom I have loved from boyhood, and whose honor I have known full well, both while a boy and a man, when he approached that fact, did not dare to defend it. Never would I allege any thing thus taken from letters, as the opinions of any man, until I saw the whole correspondence, so as to know how the whole subject could be explained. How are we to be answerable for these letters? He tells you, that the people of Philadelphia knew nothing of these letters, before they were brought forward as evidence; and yet, unknown as they were, we are to answer for the unsoundness of the opinions contained in these letters, if they did contain such opinions. Sirs, did the directors of the inquisition ever make a more direful and unreasonable demand upon the faith of its victims? Did they ever apply a rule more terrific and revolting to the feelings of human nature, than the one which our opponents wish to apply to us?—that we must answer for opinions of Elias Hicks,

which we never knew he uttered, and which were concealed from our knowledge until he was taken away from us, and his body the tenant of the grave.

Sirs, nor am I willing that his opinions should be judged by the understanding of note-takers. You will find by the testimony, that Thomas Willis and Samuel Parsons were present with Elias Hicks, at the meetings which he attended, year after year, and month after month, and were in the habit of taking a single expression uttered at one meeting, and another uttered at another meeting, and using their notes as proof against the soundness of his doctrines. And one of these witnesses has filled a page with sayings of Elias Hicks, running through three or four years of his devoted and laborious ministrations. Could Elias Hicks, or any other man, stand the test of such scrutiny as that? Why were they thus taking down, day after day, those scraps, without the language uttered in connection with them? Why, sirs, if we wish to destroy any man's character, we can in that mode make him appear to be a blasphemer. And will you trust these representations of his enemies? Will your honors rely upon the statements of these note-taking gentlemen, when about to adjudge a fellow-being? No sirs, you cannot. Such conduct is stamped with crime and dishonesty upon its face, and must be the scorn of every honest man. And as little would I rely upon the tales borne by Mr. Whitall, and by Comfort and Bell, as to the opinions of Elias Hicks, uttered in their presence. Your honors have known a thousand instances in which public speakers have been reported by one to have declared certain things, and by another, represented to have uttered something entirely different, and twenty may differ as to what really was said. And although Elias Hicks was represented by two or three men as having delivered certain doctrines, yet a far greater number declared that he delivered no such doctrines. And three men made a statement that was confirmed by many others, (more than twenty, I believe,) which put the brand of falsehood upon the testimony of Comfort and Bell. And sirs, are we to believe upon such evidence, that Elias Hicks was infidel? Look at what occurred in Philadelphia. I refer to the case of Jonathan Evans. Elias Hicks had delivered his testimony in one of the meetings, and this individual went so far as to express his opposition to certain doctrines which he said Elias had delivered; and other individuals who were present, were of opinion that the speaker delivered no such doctrines, as had been imputed to him.

Now, sirs, I ask you, can you trust to such evidence, as has been adduced against Elias Hicks, and upon it condemn him. No; you cannot, and you will not do it. There is but one mode by which you can determine what his doctrine and opinions were. They are to be found in his sermons, and the journal of his life, which is not in the evidence before you, as it has been published since his death, and since the testimony in this cause was taken. You can also learn what his sentiments were, by referring to his answers to the fourth and sixth

queries, which were referred to by my associate counsel. And with regard to his sermons, I will call your attention to the course pursued by the other party. They took up his sermons, and read certain passages in them, without giving what preceded, and what followed, which when read, would afford a full and satisfactory explanation of those parts which they held up as being so unsound. They go to support quaker doctrines, however much the other party may denounce them as being unsound. But after making their quotations, did they, in the arguments of counsel, undertake to prove him to be unsound, from his sermons? Sirs, my learned friend never looked at them, when speaking of Elias Hicks' doctrines. It was by the slanders issued against him, and by letters, and information derived from sources which every honest man would spurn, that they endeavored to prove Elias Hicks to be unsound. And sirs, when my friend spoke as he did, respecting Elias Hicks, he made no examination of his sermons, to prove him an unsound man. Sirs, there must have been reason for this omission; for he omitted nothing in his argument that could possibly aid him. The argument that he delivered, was all that human talent could do. And if he should fail in this cause, he may well say, *si Pergama, dextra, defendi possent; etiam hac defensa fuissent.* But in this part of his argument he has failed. He did not prove Elias Hicks to be unsound, from any thing that can fairly be considered as evidence against him.

Sirs, the difficulty which we have to meet in this part of the case, is one of very common description. But I do insist that these sermons, and these answers to the queries, should be taken as your guide, if you think it necessary to examine the opinions of Elias Hicks, and that you shall not rely upon the scraps of prejudiced and partial note-takers. Sirs, our adversaries are unwilling that this rule which they have prescribed for us, should be applied to themselves. They tell us explicitly, that they are not responsible for every word that is contained in the writings of the early founders of this society. I refer you on this point, to the testimony of Samuel Bettle. And Joseph Whitall says the same thing. I wish you to read what they say in relation to this matter. Samuel Bettle's testimony, vol. 1, p. 75. Joseph Whitall, p. 240. Then why are we to answer for every thing that Elias Hicks uttered?

My chief reliance in coming to a conclusion respecting the opinions of Elias Hicks, is upon his answers to the six queries propounded to him. And why do I say this? Those answers were a deliberate exposition of the opinions of Elias Hicks, written by himself. They were not hasty expressions which were uttered in a moment; they were called from him by an inquirer after his views. He was asked, what are your opinions? And he gave these in answer to the question. And our adversaries were unwilling that we should get hold of them; we were under the necessity of printing them ourselves. But it was not a correct representation, when it was said that we furnished them as his opinions for the purpose of justifying ourselves in our opinions. He thought it was due to him to give to the court his deliberate opinions

on the doctrines in relation to which he has been so misrepresented. And as they would not produce them we did, and marked them as an exhibit. Such is the case and they know it. See the Ev. 1 vol. page 167; you find by the testimony of Thomas Willis, that the exhibition which I have given is a true one.

Now what do these answers to the six queries contain? I do not intend to take these up to examine them them thoroughly, as my associate counsel presented them to you very fully in the course of his argument. These answers contain, on the subject of the atonement, and divinity of the Saviour, and with regard to the scriptures, an exposition of faith which is not he denounced as heretical, when considering the faith of the quaker society. Samuel Parsons admits that these queries and their answers are consistent with the opinions of Friends. Well, why are they not to be received? Because they were called out by one who wished to know what his opinions were? Because they were written to give an explanation of his doctrines, as the counsel argued? Why, with what a blasting influence does this idea come upon the character of William Penn. Do you observe what an imputation this idea casts upon William Penn? He was immured, for his want of orthodoxy, in the prisons of England, and while there he wrote his *Innocency with her open Face.* And they now rely upon it, as being an explanation of his *Sandy Foundation Shaken.* Now if Elias Hicks is not to be believed, upon that ground, where is William Penn? Did he swerve from the truth when he made that explanation of his doctrines? Did he forfeit his character for virtue and religion, when he made that explanation? No, he did not. And would you apply to Elias Hicks what would not apply to Penn? No sirs. The six queries and their answers are upon the same footing, with *Innocency with her open Face.* You must receive them.

And with regard to the doctrines contained in the answers to the six queries, I confidently challenge the production of any thing, to prove that they are unsound or infidel. And if I had time and strength, and the patience of the court would admit of it, I could prove that the doctrines held forth in these answers, are supported by similar views from the writings of some of the most learned, intelligent and pious men in the world, and those who have distinguished themselves as powerful advocates for the doctrines of christianity. And sirs, I think that the man who was declared to be the star next in magnitude to Newton, in the age in which he lived, (I mean Samuel Clarke,) entertained opinions, which corresponded with those of Elias Hicks. And had I time, I would show you that correspondence. And I could show too, that the same have been entertained by a hundred of the best men who have written upon theology. And I hope your honors will, in coming to a decision respecting the character of Elias Hicks, give due weight to the evidence which alone ought to influence the mind, in relation to his sentiments.

But how are we connected with Elias Hicks? We denied the name

of Hicksite in our answer. And it is not enough to believe that we should be branded with that name, simply by the accusation of our enemies who chose to give us that name. I am aware that such things, unfortunately, are not new to quakers; they are as old as falsehood and corruption. It will not do to say that a man is a Hicksite, and then condemn him without proof. We have never in any way, assumed the name of Hicksite, either by any official act, or privately. And you will find in the testimony of Willis and Parsons, that they say we never admitted it privately so far as they know; and although we deny it, yet our adversaries are to fasten it upon us.

In the next place, did Elias Hicks ever utter the sentiments which they condemn in our hearing? Remember that we are a portion of the yearly meeting of Philadelphia. When did he ever utter in that meeting, one single false doctrine? Joseph Whitall speaks of his having uttered heretical sentiments in New York, and Bell and Comfort speak of his preaching false doctrines in the Southern quarter. But neither of those instances of his thus preaching was in Philadelphia. Here is a manifest deficiency on the part of the opposite party. They could bring no such proof. I ask another question. Did Elias Hicks ever utter false sentiments in Chesterfield meeting? We are members of Chesterfield meeting and our adversaries live there. Was Elias Hicks ever there to utter his heretical sentiments? Was any member of that meeting ever anywhere to hear him deliver such sentiments? I admit sirs, the fact, that he bore one testimony in the monthly meeting of Chesterfield, but it was long after these accusations were made, and there is no evidence of unsound doctrines having been put forth there. It is not in the evidence, that he ever preached among us at Chesterfield, or proclaimed his religious opinions in our hearing, but his journal tells me that he did at one time utter his testimony there. But there is not one of that meeting that ever heard him utter an unsound sentiment. If David Clark had heard him utter opinions that were false why not proclaim it? Why not tell the court of it? If Samuel Craft had heard him deliver unsound doctrines, why not tell it to the court? No member of that meeting, has dared to say on his affirmation, whatever he may say elsewhere, that he ever heard him utter false doctrines, and yet we are to be bound by those doctrines. Sirs, it is the spirit of orthodoxy, and the inquisition again.

The fact has been referred to, that Elias Hicks attended the yearly meeting of 1828, and that there was a certificate of approbation given to him. The facts in that case are strong; Elias Hicks came to Philadelphia, with certificates from his meetings, given before the separation. And under such circumstances, when he presented himself, they would not dare to refuse him, if his certificates gave him full authority to attend that meeting. And if they had refused him on that occasion they would have violated the order of the society. Elias Hicks had a right to deliver his testimonies, wherever his certificate pointed out. Why, sirs, according to the order of the society, they would not have

had a right to refuse him admission into Arch street, or any other of the orthodox meetings. Yes, I say he had a right to go to Arch street meeting; he had with him, a passport which would have carried him into their pulpit, unless they had been disposed to prevent him by force, and by the control of half a dozen men, who pursuing their hatred against him, might have chosen to interfere. He had full power to use any of their pulpits; but I must not use the term pulpit, when talking about quakers, and my friend who addressed you the other day, made this same mistake.

But sirs, are we, as a society, to be condemned by the sermons of Elias Hicks, even admitting that there are errors in them? We have the express declaration of Samuel Bettle, and it is confirmed by the evidence of Thomas Willis, Joseph Whitall, Thomas Evans, and Samuel Parsons, that the society is responsible, and will answer only for what it authorizes to be published, and in that way they often escape from the consequences which follow, when the writings of many of the fathers of the society are presented. And your honors will notice the scorn thrown upon many of the ancient fathers of the sect, by the orthodox party. They recognize Barclay, and one or two other writers; but when you ask them if they will recognize certain portions of the writings of Penn, what do they say? The reply is, "I do not know that the society ever authorized it to be published, and cannot say." When we ask them respecting Whitehead's writings, the reply is, "I do not know that the society has ever authorized that, and I do not admit it." Now, sirs, are you willing to take the orthodox standard? I am not willing that they should make a few partial selections from the writings of the members of their society, and condemn us upon such unfair ground; and I am sure your honors cannot justify such a course. Sirs, if you take the orthodox standard, there are not ten works in the whole quaker society, to sustain it. Orthodoxy, finds but little countenance from the ancient writings of the society. Such orthodoxy as shows itself in these days, was unknown to the early quakers, unless you find it in doings of George Keith and his party. It is a hard matter to find in the writings of the early quakers, a guide to the orthodoxy which has, of late, attempted to build itself upon the ruins of quakerism. No sirs; and our opponents have spurned the old fathers of their church. Look at their principle. They are not willing to recognize the writings of the early Friends, and yet they are determined to fasten upon us, every thing that they consider defective in Elias Hicks. We must answer for every thing he said and did, although there is not one single act in a society capacity, that has been proved, to show that we are accountable for the actions and opinions of Elias Hicks. Why will they not apply the rule, and let it work both ways? Why are we to answer for the opinions of Elias Hicks, when it has not been shown, that we have officially approved of his writings? And they admit that we have not. If we take their own rule, the connexion between us and Elias Hicks is dissolved. And

let me tell these gentlemen, that the principle which they have applied to themselves, is not to be forgotten, when trying this question before a legal tribunal. And every honest tribunal will apply the same rule to both parties.

But, sirs, why shall we be condemned because we have read Elias Hicks' sermons? How is it in the presbyterian church? Are the members of that church to answer for the sentiments contained in the sermons of Green, Smith, Miller, and Alexander? Is the presbyterian church to be liable for what these men say in their sermons? We read them, and we rejoice in the illustrations of scripture which they afford, we take pleasure in the pure and noble light which these men give us in the path towards heaven. But we are not bound to receive them, and to answer for them. Why should the errors of Elias Hicks be fastened upon this society? There is no fair principle by which they can be fastened upon us.

I have now done with the opinions of Elias Hicks, and while I say this, permit me to add, that I have taken this course in relation to that individual, because I believe it to be the course of justice, and of law; and that I do not wish to be understood, either for myself, or for those whom I represent, as casting the slightest imputation upon the life, opinions, or memory, of Elias Hicks. Whatever may have been his opinions, whether speculative or practical, we believe, that he was a good and pious man. He did possess an active and ardent spirit. He was ambitious, as the learned counsel told you, but his was the ambition of excellence. He was zealous, always zealous in the pursuit of that, which he believed to be right. He early submitted himself to the purifying influence of that spirit which was his guide, and at the age of twenty-seven years, publicly ministered in holy things among his dying fellow mortals. For more than fifty-seven years, sirs, that man ardently and earnestly advocated the cause of christianity and of human happiness. The testimonies which his society had borne before the world, he bore patiently and fearlessly; and whenever he was called to express his feelings or opinions, he urged those testimonies on the consciences of his hearers, in a manner which did not permit them to be indifferent; he did it with a zeal which demanded and secured the attention of those whom he addressed. Large numbers listened, and as my learned friend said, crowded around him to hear the joyful tidings which he had to bear. He was at all times the friend of freedom of conscience, thought, and action, and the able and unceasing advocate of human rights. The African and Indian were never forgotten by him, but were embraced within the circle of his benevolence. Possessing too, an acute and argumentative mind, and a heart that was kind and benevolent towards all, his feelings carried him out towards every species of human suffering. While proclaiming the message of his Lord, the pious and the learned listened to him, with deep and absorbing interest. And, sirs, it is also true, that surrounding multitudes listened, while he proclaimed the truth, with great and

devoted attention. His zeal did not relax as old age approached. When more than fourscore years of age, when man is bowed under the weight of infirmity and anxiety, and is groaning out his desire to be released from the sufferings of humanity, he bore actively, wherever he went, the testimonies upon which he relied, and proclaimed the gospel, as he believed it. Yes, after that advanced period of his life, his voice was heard within several yearly meetings of the society, to which he was attached; he visited the states of New York, Ohio, Indiana, Pennsylvania, and New Jersey.

Sirs, he was a man too, in the language of scripture, "instant in season, and out of season," to do good to his fellow beings. He was truly a peace-maker; not merely between his fellow-citizens in their controversies one with another, but he endeavored to influence man to seek favor with his God. He was a peace-maker, in a sense higher and holier. In the strict meaning of the original scripture word *eirene*, he endeavored to draw into one. His efforts were directed towards uniting, not only man to man, but also man to his Creator. He sought to produce peace with the Father of peace.

He was honest, and he was just, and without reproach in his intercourse with his fellow-man. Where is the slanderer that dares to say, that in any act he did wrong or injustice to his fellow-man? Who is there to charge pollution or criminality upon him, in any of his actions? There is none, to assail him. And yet sirs, it is such a man as this, that we are called upon to rebuke; such a man we are called upon to disown and deny. And because we could not, during his life, see him persecuted and silenced, we are now to forfeit our civil rights. All that we did, at any time, was to refuse to denounce and disown Elias Hicks, to gratify those who hated him for the closeness of his testimonies. And we are now to have our rights taken away from us, and to be injured and denounced, because, since he has been laid in the grave, and gone to atone for the faith which he entertained, and the actions which he performed, we are not willing to cast censure upon his character, and regard him as an infidel. We are still to be persecuted on his account. Let me add, it was with regard to such a man as I have been speaking of, that Thomas Willis could hesitate to say, he was honest in his intercourse with the world. But Thomas Willis did this after he had become a traitor. O, save us from this spirit of orthodoxy!

I have done with Elias Hicks. It was due to his memory, and to the respect we bear to his character, that I should say what I feel myself, and what my clients feel in relation to him.

But, sirs, although I have thus investigated the doctrines, and repelled the idea that we are to answer for Elias Hicks' opinions, I have done it out of respect to the opinion of Justice Drake, and the opinion of the adverse counsel. I now enter my solemn protest against the whole inquiry, and especially against the consequences, which are said regularly to flow from it. Let the orthodox party be as orthodox as

they may, they are not authorized to inquire into our religious belief, and upon that belief to ground a forfeiture of our rights. The counsel have argued that Chancery may take care of funds, to be applied to charitable uses, since under the statute of Elizabeth there have been such cases. It may be, where the parties are to depend on certain specific articles, where there is an act of incorporation, or some specified conditions, or contract which the parties have made. But unless there is something of that kind to render it necessary, the court cannot go into an inquiry respecting religious doctrines. The judges, both of them, lay down a correct rule, which is true to a certain extent, but they have carried it beyond the point upon which the institutions of this country have placed it.

I feel no interest in investigating the doctrines as laid down in England upon this subject. The doctrines of England are not the doctrines of the United States. There is there, an established church religion, and it is there protected by the law. The principles which are applied to it there, have been under our system, rejected. In the settlement of this country, there was an entire liberty of conscience allowed to all who became inhabitants of this province. My learned friend, who opened the argument, exhibited the fundamental principles, in relation to this point. Those *concessions*, mark the term, those *concessions* gave liberty of conscience, in the declaration, that there should be no forfeiture of right, because a man believes in one way, or another. Why were they called concessions? Because in England, there was another doctrine prevalent. And those who desired that the territory of New Jersey should be settled, conceded to those who were to settle it, that liberty of conscience which is man's birthright. According to the principles which are laid down as fundamental at the settlement of this country, no man shall be put in jeopardy—no man shall be troubled, in consequence of any religious opinions which he may hold, let them be what they may. Sirs, those concessions put to scorn the boasted freedom of Greece and Rome, in European lands. There is nothing in human story so proud, and so regardful of the qualities of human nature, and all the rights of man. There is nothing in the history of mankind, so proud, and so ennobling, as the original settlement of my native state. And here I stand as the advocate of those rights which were confirmed by the original charter. Sirs, our constitution did but follow up that principle, when it declared there should be no interference with religious doctrines. And the Constitution of the United States did but follow up the example set here. It was founded upon the same principle. That constitution lies at the foundation of liberty of conscience. The whole edifice of human rights is built upon the doctrine which it sustains. And there is but one principle that can protect or defend it. And what is that principle? My learned friend told you, that if the broad principle of majority was allowed to prevail, there would be an end to our christian institutions. He never committed a greater error. The principle of majority, is that principle which

is opposed to despotism throughout the world. And there is no other principle which is opposed to that despotism and aristocracy, which lie at the foundation of all the slavery among men. What is it, but the principle of majority, that secures us from the evils arising from the exercise of despotic and arbitrary power? And, sirs, at this very moment, the principle that sustains all our institutions, is, that a majority of men must govern. What is it that causes the great warfare between the great human family, which is agitating the world in every part of the globe? It is the principle which says, that all men are equal, and that a majority shall rule, which has burst forth, and produced all the agitations and convulsions in Europe and South America. And it is the principle so beautifully carried out in our great republic, for the last half century, that has attracted the attention and drawn forth the admiration of the whole civilized world. This principle has been established, at the foundation of our courts of justice, as well as elsewhere.

And may not the same principle be applied to religion, sirs? What is liberty of conscience, but that every man should think as he pleases, and that where there is a difference of opinion, that the majority should prevail? What is the essence of theological power, and all that power claimed by popes and priests, for centuries back, down to the present hour? Is it not that which is in direct opposition to that great principle? And was it not from an utter disregard of that principle, that they could domineer over the consciences and destroy human happiness? My friend was wrong, when he spoke as he did. It is a precious principle. Our concessions and constitution recognize it. And in the foundation of all systems, this, and this only, should be the great and governing matter.

Sirs, this principle is not to be found only in the constitution and concession. It has been frequently carried out. My learned associate called your attention to this great principle, and alluded to instances in which it had been carried out. You recollect, that as soon as the State of Virginia could make an enactment, it proclaimed liberty of conscience. And that enactment was from the pen of a man, who, at this hour is a most splendid monument of human talent, learning, and virtue; James Madison. If any man on the globe is entitled to human reverence, it is James Madison. He framed that enactment. And it is acknowledged to be a sublime enactment. Mr. Madison held forth the idea, that man, in relation to matters of conscience, was subject only to his Maker; that the conscience should submit to no human control or interference, as it is subordinate only, to its Creator; that man's conscience must be free in its intercourse with his Maker, and that he cannot submit himself to any authority, that shall deny entire freedom in that intercourse—the Maker will not permit it—the creature ought not to submit to it.

Sirs, on this principle, I think that Chancellor Walworth was right in the doctrines which he laid down in the State of New-York. Let us

have been misled as we may, by the doctrines maintained in despotic governments, and let this case be decided as it may—and I suppose that it will be decided before the setting of the sun, the doctrines maintained in that decision of Chancellor Walworth will, at no distant period, be established as the law of the land. I know sirs, that it must be so, in the progress of every principle connected with our American institutions. And there are none of those evil consequences to result from it, which have been held up to our view. I shall not attempt to go into a minute investigation of the causes which have been cited to sustain our opponents; nor shall I take up your time in proving that the principles maintained by the adverse counsel, are not the principles of New Jersey. There is one view of the subject which I believe will be an explanation of every one of those cases. They are all cases of incorporation by statute; or cases in which property has been given by deeds to a corporation by name, where a majority have already decided how that property should be used, and what are the conditions under which it shall be held. That is the principle. Take the Woodbridge case, in our State. That property was given to the first presbyterian church in Woodbridge, as a corporation. When the second presbyterian church was set off from it, and sought a portion of the property, the court had nothing to do but to look at the act of incorporation; as it was held with a corporate name and sanction, by the terms, they could not say, that any but the first presbyterian church should hold it. That principle is perfectly apparent. It requires no legal ingenuity, no power of intellect, to show that such cases have no application to the principle now in discussion. Whenever there is a tract of land given to an incorporated body, with specified terms mentioned in the deed of gift or grant, then the principle of the adverse party will apply; but unless there is an act of incorporation, which is to control the property, their principle can have no application.

Where is our act of incorporation? Where is the charter by which we are regulated in relation to our property? We are a combination of individuals, without a charter, without incorporation, without covenant, who have created this money for our individual purposes, and in the management of it, we must be governed by the terms of the original agreement, which says, a majority must control it; and when we separate, the only way is, for that majority to continue to control the fund, or, to have it divided between the parties. Such a course must receive the sanction of law and justice. In the Amboy case, the question was, who were entitled to vote in a matter connected with the government of the church; and it was decided, by a reference to the discipline of the church, that those who paid according to the form prescribed, were the members of the church, who had a right to vote; and that others had not. Such also, sirs, are the cases cited from New York and Massachusetts. They are all of similar character. As to the cases in New York, it is not necessary to look at them further.

But your honors will look at 4th Massachusetts, 534. You will find

there the principle decided is this, "If after the inhabitants of a school district, have voted to raise money for building a school-house, and before the same are assessed, the town shall set off certain of the inhabitants and form them into a separate district, such inhabitants are not liable to be assessed for the money so voted." The case is cited for this *dictum* of the Judge, "the most operative distinction is, that where a new town is incorporated out of one or more towns, the *former corporations* continue with all their powers and duties." Well, this is true; but it has no application to the case before the court. The judge goes on: "But if a new school district is formed out of one or more districts, all the districts, whose limits are anew prescribed, become, in fact, new districts."

So far as this case is applicable, it is in our favor. It makes a distinction between the separation of a corporate body, and the separation of bodies not incorporated, which is the distinction which I presented a few minutes ago. And this is the only principle which I want you to establish in this case; where there is a separation in a body not incorporated, the property must be divided ratably, or the majority must take it.

I will now call your attention to the case in 15 Massachusetts, p. 464, "Where in a new town, a congregational minister was settled, as the minister of the town, and after his death, another minister of the same denomination was settled, this latter was held to succeed to all the rights of the former, and to be entitled to possession of the ministerial lands of the town, although a majority of the town were then of other denominations or persuasions."

Now what is the ground of that decision? It is this: every town in the commonwealth is a parish; and all parochial property is held in a corporate capacity. Every town in the commonwealth being a parish, all the inhabitants of a town, which is a parish, are members of the parish, unless they have disconnected themselves therefrom, in some legal way. The town being a parish, all the inhabitants of the town are members of the parish. Now the court in this case held, that this town was a congregational parish, and as such elected a congregational minister; and the claimant was a congregational minister. Those who were a majority, have availed themselves of the act of 1811, and have become a separate incorporation, by a new act. The congregationalists were thus left the entire corporation, and as such their minister was entitled to enjoy the property. Those who separated from the parish became incorporated under the act of 1811, as a distinct religious corporation; and they were regarded as a distinct corporation, and therefore that principle of the case was applied to them.

The only remaining case for me to notice, is in 16 Massachusetts, p. 488. It was regarded by the adverse counsel as being very conclusive in his favor. If I can understand at all, it is opposed to the views which they maintain. It is thus cited. "Where a majority of the members of a congregational church, separate from the majority of

the parish, [the parish being an incorporation], the members who remain, although a minority, constitute the church in such parish, and retain the rights and property belonging thereto." That is, a majority of the members of the congregational church having separated from the majority of the parish, the members who remain connected with the parish, are to retain the rights and the property. Now the majority of the parishioners, being members of an incorporation, were entitled to hold the property, although the minority of the parishioners, were a majority of those who worshipped in the church. I told you that I had cited this case for my own purpose, and I do not think that I would cite one that was against me.

That case is decisive, upon the principle of the majority of the owners of the property, carrying it against the minority, or, as might be said, against those who were the *old, experienced, and weighty members.*

If you will look at the bottom of page 500, 502, 507, 508, you will perceive that I have given it to you, in the words of the case.

Now, in the cases referred to, I think the principle is established very clearly with regard to the majority, and to their right, under such circumstances, to take the property. We come then, very naturally, sirs, to the inquiry: how stands the fact in relation to this unincorporated community of people, both those who hold the fund, and those with whom they are connected, and to whom, they are said, to be subordinate. And for that inquiry, I am prepared.

[The counsel referred to the testimony of the witnesses, who furnished estimates of the relative numbers of the two parties throughout the yearly meeting, and also of the meeting at Chesterfield. He made particular allusion to the evidence of Halliday Jackson, Thomas Evans, Charles Stokes, Josiah Gaskill, and James Brown; showing very clearly, that that portion of the Society of Friends, called Hicksites, form a large majority, not only in the meetings of Chesterfield, but also in the yearly meeting held at Philadelphia.]

Now, sirs, apply the principle which I have exhibited, to this case; apply the principles which are maintained in the cases which have been read; and the conclusion, must be in our favor. I ask your honors what is to be the result here? Is it possible, that we, who constitute a large majority, are to lose all our rights, because we have separated from Arch street house, and have left behind us a few orthodox people? for it comes to that.

And, sirs, there is another argument which has been held up, that I wish to call your attention to. It is said, that there can be but one yearly meeting, and that that remains. Why our rights do not depend upon our connexion with the yearly meeting. But, I am prepared to deny the truth of their position. They say we cannot set up another yearly meeting, within the limits of this yearly meeting. Do they furnish proof for that? Does any body deny it, upon evidence? Is it denied in the Discipline? Is it not true, that in this society, one yearly

meeting has extended to certain limits, and within these limits, there have been members connected with another yearly meeting? Why, Shrewsbury was in connexion with the yearly meeting of Rhode Island, since the yearly meeting at Burlington was established. And Philadelphia yearly meeting, at its establishment, embraced Pennsylvania and New Jersey just as much as it does now. But the yearly meeting of Philadelphia embraces part of Maryland and Delaware; and suppose that Friends in the limits of Maryland and Delaware should say, we intend to have a yearly meeting of our own; could they not establish one? Suppose that Friends in New Jersey should think it was proper to have a yearly meeting at Burlington, could they not establish it? And what authority is there, to deny them this power. Sirs, it is a most egregious error for any one to assert that any power exists, which can prevent Friends of this state from forming a yearly meeting for themselves. Whatever the witnesses may say in denial of such a power, it is an error, it is not true in principle. And if Friends of New Jersey may establish a yearly meeting, and they may do it just as well as those of Virginia, Ohio, Indiana, and Baltimore, why can they not establish it in Philadelphia? I speak now, not of policy or propriety, but of the right to do it. Sirs, I deny the assertion, that there cannot be a yearly meeting established within a yearly meeting. Sirs, it may be done, and these meetings may be in unity. There was a time, when dividing this very yearly meeting was thought of; but it was the opinion of some, that the right time had not yet come. And if the portion who wished to divide, had gone off, those who remained could not have dealt with them for it; such dealing would be put to scorn. The judges are without a foundation upon which to rest their principle in relation to this matter. The principle cannot be sustained. As to what is right and expedient in such a matter, that is another thing, and we have nothing to do with it. The meetings must act in such cases, under the influence of that spirit which is their guide. But as to their right, there is no question upon that subject.

Sirs, I have looked to the principles that are applicable to this case, and the result of them I believe to be this. First. That no civil right can be made to depend on religious belief, unless it is expressly shown by the terms of incorporation, or the grant of the property. This is sustained by the cases I have referred to, and by the constitution.

In the second place, that government cannot inquire into the truth of belief, that the conscience cannot be tested in relation to it, nor ought it to be, and that no government should place itself between the conscience and its Maker.

Now sirs, apply this principle to the present case. The defendants, Stacy Decow and others, declare that they believe in the ancient doctrines of Friends, and it is not denied. And it is admitted that there is no creed sanctioned by them. Can you in such a case test them by an application to the conscience? Have you a right to go further than to inquire simply, whether the declaration of Decow is true, that such is

the profession and discipline of the society? Not whether they are sincere in that profession, or not. You ought to recollect, in this part of the case, that it is a matter of belief into which you are inquiring. It has been suggested that the form of that belief is not correct. But can you try whether the *form* or *mode* of belief, be true or not? If you inquire into the fact of belief, can you inquire whether the *mode* of that belief be true? And that is the controversy between us. No sirs; if a man declares that he believes by a given standard, there you must stop; you can ask him no further, there your power is at an end. If I tell you that I am a presbyterian; and receive the confession of that church, as my only confession of faith, you have no power to inquire, whether I am sincere or not; you have no right to test my conscience upon this, or the other point of belief. The moment you do so, you prostrate every principle of civil liberty, you throw down all the bulwarks which our fathers have erected round liberty of conscience. Sirs, there is no middle ground on which to stand. You have no right to deal with me, beyond the point of the declaration, that I receive that confession, and am, therefore, a member of the church.

But I do not stop here. I say, that a change in my belief, does not, under our system, work a forfeiture of civil rights. This declaration is sustained by the cases which I have read, and those principles which lie at the foundation of all our institutions. If it be otherwise, however we may talk of liberty of conscience, our boast is our folly. A decision, that we are to forfeit our rights, because of a change in our religious opinions, would in one single hour, prostrate the fabric of our liberty, and would be in direct violation of all those rights and privileges, which we enjoy as American citizens. As a citizen then, I entreat and implore you to beware, when about to pronounce such a decision, that you may see the end to which it will lead. A thousand years will scarce suffice to build a state, an hour may rend it. Centuries may be necessary to build up liberty of conscience, and a single decision of a court, followed out in its consequences may crumble it to atoms. No sirs, I do not, I cannot think that you will err on this point.

It is not necessary that I should examine further, the opinion of Judge Drake, because it has been sufficiently examined by my associate counsel. Now I repeat what I believe to be the correct view of that part of the case. It is not true that we refused to answer, so far as our discipline and the principles of our church permitted us. Our opinions are not to be inferred from, or tested by the opinions of Elias Hicks. If we have have not answered, and do not answer, our adversaries must prove that we are in error, and must not leave it to inference. And a forfeiture of the smallest atom of our rights, can never be the result of inference, in any such case. Permit me now for a few moments, to recall your attention to the views which I have attempted to give in this case.

I have endeavored, sirs to prove, that this fund about which we

are contending, is a fund which we have created ourselves, for our own benefit, and that we are partners both in the fund and the benefits that result from it. I trust I have proved that.

That we have managed that fund from the commencement, and that we are now bearing its burdens, and devoting it to the objects for which it was intended. That is true also.

That we have governed it by our preparative meeting, which is in full existence, professing the same faith, and governed by the same discipline as when this fund was established.

That Stacy Decow, who represents our interests, was regularly appointed treasurer, and is authorized to receive the money, because he was appointed in the regular mode, and by a meeting having full authority to make the appointment.

That there is no monthly, or other meeting, that has any right to interfere with us, or if they have such right, that right has never yet been exercised, in that mode in which the discipline permits it to be exercised, and until it is thus exercised, our character as a meeting, cannot be affected under the discipline. But we must have in keeping our rights, because we have in keeping our character; as we have not been dealt with, or disowned, in any form, by any body.

That we are an unincorporated body, having our rights as individuals, and holding them neither by acts of incorporation, by charters, nor covenants, and therefore we are entitled to hold this fund, because we are a majority of that community, there being nothing in the existence of that community, which limits us, but all matters connected with the fund are to rest upon the great principle of majority, which is applicable to such questions.

That the minority withdrew from us, without cause; and that according to legal principles, they have lost all their right in the *management* of this fund, and if they retain their right at all, it can only be in proportion to their numbers. And we are perfectly willing, that the court should adjudge rights to them, to that extent.

We have attempted further, to show that the judges who decided this case against us, have differed irreconcilably, in the opinions which they have expressed. The one, placing the decision upon the exclusive ground of discipline, and the other upon the ground of religious faith; and each, by implication at least, and one of them by more than implication, denying the validity of the reasons offered by the other. We thus see that in that decision, they were divided in relation to the ground upon which they placed it, which certainly weakens its validity. It was honest, but it cannot be sustained, by law or justice.

And, sirs, there is no connexion between the inferior meetings and the yearly meeting, which can affect the question of property. But, even admitting that there is such connexion, the bond of the society was broken. The spirit of peace and unity, had departed; that which had hitherto connected, and guided us in the affairs of the church, was known no more among us. The acts of the orthodox party, before,

and at the yearly meeting, had dissolved the bond of unity; and under the circumstances which existed, they were at liberty to reorganize that meeting; not to make a new one, not to discard the ancient one, (though I consider that the term *ancient* is not properly applied to the yearly meeting,) but to reorganize the true yearly meeting, which means the *ancient* one, to restore its energies, to call back the spirit of love and harmony, that it might realize again the happy influence of that spirit, which was to it, the breath of life.

And I endeavored to satisfy the court, that from the principles which must govern us, there can be no such trust created and sustained by a court of justice in New Jersey, as shall authorize a body out of the state, irresponsible to its laws, over whom it can have no influence, and whom it cannot even compel to surrender the evidence upon which the rights of the parties rests, for that has been withheld in denial and scorn of the power of this court, I say, there can be no trust sanctioned by our courts, that will authorize a body thus situated, to control and dictate by its acts, the right and ownership of property in New Jersey. When our laws are brought to bear, they must bear equally on both parties. When our citizens are compelled to submit to the dictation of any, the laws must make the dictator feel their weight, as well as the man who is to obey. Such a trust cannot be created or sanctioned in New Jersey. The idea is too monstrous to be tolerated. Why, if the principle can be sustained and carried out, our property may not only go to Philadelphia, but to London or Paris. Under our laws, sirs, there can be no such trust established. And without it, our opponents do not pretend that they have a right to the property. That is the great argument, on which Thomas Evans rests, and without it there is no claim.

Again. I attempted to show, that in this country, that there can be no forfeiture of civil rights, on account of a false faith, or a change of faith. And, sirs, I attempted to show, that even if a forfeiture could by possibility exist, it must depend upon the avowal of false doctrines by the individuals themselves, and not by their being held answerable for the opinions of their associates. And this applies to all that matter between Friends and Elias Hicks. The error must be brought home to the individuals who are to bear the forfeiture, and not to others with whom they have merely some temporary connexion.

Sirs, if my clients are not to be sustained upon these principles, their case must, in my estimation be lost. But, sirs, with the confidence which I have in the soundness of these principles, I can no more doubt the decision of this court to sustain them, than I can doubt that wisdom and virtue will reach their just result. With my learned friend who addressed you, I am willing to repose with confidence on the principles upon which I have endeavored to sustain my clients' cause. He has warned you of the evil results which must follow, if you decide that this fund shall be divided, or if Friends shall take possession of it. What, sirs, are those consequences? He referred you to the present

state of feeling, throughout the christian world, and told you that the coffers of the rich were open to promote the cause of benevolence, and to lay the foundations of charity and religion; and that if those foundations were found to be insecure, these coffers would be closed. Sirs, there is no cause of alarm on that point. The benevolence of the present day, is not a benevolence of feelings, which will be repressed by a difficulty of that character. It is a benevolence which receives its life and light from the throne of the Almighty. It rests upon a basis, which cannot be thus easily shaken. It cannot be affected by the decision which we ask of this court. But a contrary decision will strike at the very foundation of those principles, upon which all our hopes as citizens, and lovers of freedom, rest. The great cause of liberty of conscience, and equality of rights, must be affected by it. And, sirs, whether the court regards them or not, I cannot shut my eyes to the consequences that will result in our own small community. Here you have seen, how this property is situated. You have seen that numbers have gathered up this property, to render the worship of their God, most secure. You have seen too, the spirit, with which those who claim to take this property away from them, have pursued their object. The very graveyard, in a neighboring city, has been closed with iron bolts, to prevent the deposites of the dead; and to prevent those deposites too, because while living they were connected with those who adhere to the principles of my clients. Can you give to such a spirit, which demands the surrender of this property, power to carry out its purposes, which it will do from one extreme of the state to the other? Sirs, if the principle which our opponents wish to sustain, is sanctioned, there will not be a single neighborhood or village, where a quaker lives, in which the tears of agony will not be shed, because the house in which they worshipped, and the graveyard where their fathers are buried, will be closed upon them. I cannot think of power being granted to effect such purposes, with any thing like composure. You have heard their declarations. The spirit of orthodoxy has declared that the name of Hicksite shall be fastened upon us, and that we are to bear its consequences. Sirs, if this spirit is sanctioned, your courts of justice will be overrun with suits to effect purposes of this kind.

But let me ask, if you plant yourselves upon the great principles of the law, and the constitution, where is the evil that can result? We ask them not, to give up their faith. We ask no forfeiture of their rights, because they differ from us in any thing connected with their intercourse with their Maker. We tell them, that, if under the judgment of the court we are permitted to control this property, they shall have their portion to the utmost farthing. Then why take this property away from us? We wish to leave them their faith, and to let them worship their God according to their consciences. We wish to leave them in possession of all the property to which they are justly entitled; and that can do us no harm. And, sirs, it can do them no good, to ride upon our spoils, and to look and

gaze upon the broken hearts, and subdued feelings, which must be ours, if our rights are thus forfeited, and our property thus taken from us.

Sirs, there is but one principle of justice here. We are an unincorporated community. As individuals we have gathered up this property, as individuals we have travelled on together in the management of it; we have now come to a point in our journey, where we can travel as brethren no longer; but in the separation, let us each take that which we have given; let us divide it according to the proportion of our numbers. It is a principle of partnership; and justice and equality demand that it should be thus divided. In such a division of the fund, we shall find that we have acted in accordance with every principle of justice and honesty. The result will be, justice to all. And to this result, I desire we may come. And, believe me, believe me, there can be in such a decision, none of those evils which my friend held up to your view. He spoke with feeling, and cogency, about the little bark in which his clients had reposed their faith and principles, and that had thus far met the storm and ocean's wave. Sirs, that bark, if guided by the spirit of truth at the helm, would not need the judgment of any human tribunal to conduct it safely into port. There would be a better helmsman with it. And, sirs, such a decision as shall establish justice, equity, and equality, can wrong neither of these parties here, or hereafter; but it may produce this result; it may teach them that they are equals, and that as brethren, they may come together, they may meet again, and worship the God of their fathers, in united adoration.

APPENDIX.

APPENDIX.

It has been thought it would add greatly to the interest and value of the present publication, to include in it, as an appendix, the positions assumed by Garret D. Wall, the able coadjutor of Samuel L. Southard, in illustration of the doctrines of ancient Friends, on the Trinity, the Atonement, and the Scriptures, and the copious, clear, and unanswerable extracts from their writings, by which those positions were supported.

For the better understanding of the case it may be proper to premise, that in the bill filed by the Orthodox, (so called,) they assert,

"That the society of Friends as a Christian sect, hold doctrines, in reference to Christianity, which, like those of other sects, are in some measure common to all Christians, and in other respects peculiar to themselves. In what among Protestants are commonly deemed the great essentials of Christianity, the religious sentiments of the society of Friends are in accordance with the doctrines commonly entertained by the other Protestant sects of Christians, who arose after the dawn of the great Protestant reformation in Europe. That some of these doctrines still are, and always have been, by the said religious society of Friends, considered fundamental."

Again, they say,

"That the following religious doctrines have been always held and maintained by the society of Friends, or people called Quakers. In the first place, although the society of Friends have seldom made use of the word trinity, yet they believe in the existence of the Father, the Son or Word, and the Holy Spirit; that the Son was God, and became flesh; that there is one God and Father, of whom are all things; that there is one Lord Jesus Christ, by whom all things were made, who was glorified with the Father before the world began, who is God over all, blessed for ever; that there is one Holy Spirit, the promise of the Father and the Son, the leader, sanctifier, and comforter of his people; and that these three are one, the Father, the Word, and the Spirit. That the principal difference between the people called Quakers and other Protestant trinitarian sects, in regard to the doctrine of the trinity, is, that the latter attach the idea of individual personage to the three, as what they consider a fair logical inference from the doctrines expressly laid down in the Holy Scriptures. The people called Quakers, on the other hand, considering it a mystery beyond finite human conception, take up the doctrine as expressly laid down in the Scriptures, and have not considered themselves as warranted in making deductions, however specious. In the second place, the people called Quakers have always believed in the doctrine of the atonement; that the divine and human nature of our

Saviour were united, and thus united he suffered; and that through his sufferings, death, and resurrection, he atoned for the sins of men; that the Son of God, in the fulness of time, took flesh, became perfect man according to the flesh, descended and came of the seed of Abraham and David; that being with God from all eternity, being himself God, and also in time partaking of the nature of man, through him is the goodness and love of God conveyed to mankind; and that by him again, man receiveth and partaketh of these mercies; that Christ took upon him the seed of Abraham, and his holy body and blood were an offering and sacrifice for the sins of the whole world. In the third place, the people called Quakers believe that the Scriptures are given by inspiration, and when rightly interpreted are unerring guides, and to use the language adopted by them, they are able to make wise unto salvation, through faith which is in Jesus Christ. They believe that the spirit still operates upon the souls of men, and when it does really and truly so operate, it furnishes the primary rule of faith; that the Scriptures proceeding from it must be secondary, in reference to this primary source whence they proceed, and inasmuch as the dictates of the spirit are always true and uniform, all ideas and views which any person may entertain repugnant to the doctrines of the Scriptures, which are unerring, must proceed from false lights. That such are the doctrines entertained by the ancient society of friends, and that the same doctrines are still entertained by the orthodox party aforesaid, (to which party Hendrickson belongs;) that these doctrines are with the said religious society fundamental, and any individual entertaining sentiments and opinions contrary to all or any of the above mentioned doctrines, is held not to be in the same faith with the society of Friends or people called Quakers, and is treated accordingly."

They also charge Friends, whom they call "the Hicksite party," with a departure from the doctrines thus specified, and assert, moreover,

"That the discrepancies in religious doctrines between the Hicksite and Orthodox parties, are radical and all-important in the opinion of (Hendrickson) and his party, in reference to the principles and tenets of religion, as held by the ancient fathers of this religious society. The Orthodox party believing, as they firmly do, that the doctrines entertained by the Hicksite party strike at the foundation and main pillars of the Christian system; that in consequence of these differences in doctrine, the Hicksite party are not in the same faith with them and the religious society of Friends." In pages 31-2, and in page 39, he says, "that he does not believe that the Hicksite party adhere to the doctrines of the Christian religion as professed by ancient Friends, and seem, of late, unwilling to divulge their particular religious tenets, and contend that there is no particular religious doctrines held by the society of Friends."

That they might not sanction on the part of civil courts an interference with spiritual matters, Friends declined, both in their bills in answer to the foregoing, and in the examination of their witnesses, to go into the subject of religious doctrines, further than in general terms to declare,

"*That they believe in the Christian religion as contained in the New Testament*, and as professed by ancient Friends, and adhere to the religious

institutions and government of the society of Friends, and bear the same cardinal testimonies to the whole world, as are held most important and characteristic in the said society; among which are a testimony against war, a hireling ministry, against taking oaths, against going to law with brethren, and a concern to observe the golden rule, 'Do unto all men as we would they should do unto us.' "

As the Orthodox, however, had assumed the ground of religious doctrines, and had sought on this pretext to dispossess their brethren, and had been willing to identify themselves with "other protestant trinitarian sects," that they might enlist their prejudices in their behalf, and as one of the judges in chancery, appointed by the governor to determine the case, had actually made the orthodox claim to these doctrines the ground of his decision, it became necessary to expose, before the Court of Appeals, the fallacy of their pretensions. This was very fully and effectually done, by G. D. Wall; who showed, by reference to distinguished trinitarian writers, that the Orthodox creed or confession of faith put forth in their bill, and explained by their witnesses, was, according to those writers, clearly defective as an exhibition of Orthodox doctrines, and that the *Orthodox Quakers* were not in reality *orthodox trinitarians*, however they might desire to be thought so; and would not be so considered by any presbyterian, episcopalian, baptist, methodist, or any other protestant trinitarian sect in the world. And by a reference to the works of the ancient, and most eminent writers in the society of Friends, it appeared still more conclusively, that in assuming this trinitarian ground, they had proved themselves *not to be orthodox Quakers*. Of this fact, it is presumed, no one can fail to be thoroughly convinced who dispassionately peruses the passages which were read on the occasion, and which here follow.

The positions taken, and the array of authorities by which they are sustained and illustrated, will be found, it is believed, to contain the most lucid exposition of the views of early Friends, on the points in question, which has ever been compiled from their writings; and the quotations acquire additional interest from the circumstance that many of the works from which they are taken are scarce, and consequently accessible to comparatively few individuals.

EXTRACTS, &c.

"1. The primitive Friends generally, not only discarded the word *trinity* but they discarded the *doctrine* which, by the mass of the Christian world, the term was used to express. They discarded not only the doctrine of *three distinct persons in the Godhead*, but rejected altogether the idea of *three distinctions* of any kind *in the Divine nature*, and admitted of such distinctions only, as have relation to the *operations and manifestations of the Divinity in man.*

George Fox, in his "Great Mystery," page 397, says, in reply to Christopher Wade, who had asserted that "the Holy Ghost is a person, and that

there was a trinity of three persons before Christ was born," "Thou knowest not him that is in the Father, and the Father in him, glorified with the Father before the world began: And the Scriptures do not tell people of a trinity, nor three persons; but the common-prayer-mass-book speaks of three persons, brought in by thy father the pope; and the Father, Son, and Holy Spirit was always one."

And page 423, "You tell people of 'a sacrament, a *creed*, and three persons.'

"A. The Scripture tells no such thing, but the common-prayer-book doth, and so you do not teach the form of sound words in your catechism."

Again, in pages 463-4. "He said, 'that Christ, and the Father, and the Holy Ghost, are not one; but they are three, therefore distinct.'

"A. This is the denying of Christ's doctrine, who said, 'I and my Father are one;' and the Holy Ghost proceeds from the Father and the Son, and he was conceived by the Holy Ghost, and they are *all one, and not distinct*, but one in unity; that which comes out from him, leads the saints into all truth, (that ever was given forth from the spirit of truth,) and so up unto God the Father of truth, and so *goes back again from whence it came.*

"P. 'It is blasphemy to say the Son is one with the Father, and not distinct from him.'

"A. The Father and the Son are one, and the Son is in the Father, and the Father in the Son, so that which is in him, is not distinct from him; and they blaspheme that say the Son is not in the Father, and deny Christ's doctrine.

"P. He said, 'The Father is a distinct incommunicable being from the Son, and the Son a distinct incommunicable being from the Father, and the Holy Ghost a distinct incommunicable being from the Son.'

"A. The Son is one, and in unity with the Father, and not distinct, but equal, and thought it not robbery. The Holy Ghost is in unity with the Son and the Father, which proceeds from them, and they are one in unity, and *not distinct.* Thy doctrine is dross, and you priests are not fit to judge in such things as these are, they are too weighty, and too heavy for you."

And in page 555, he says, "Neither the word nor the Scripture doth tell us of three distinct persons, but it tells us of Father, and of Son, and of Holy Ghost; but indeed, as I said before, the pope's canon-book, and mass-book doth so; for the Holy Ghost is not distinct from the Son, and the Son is not distinct from the Father, but they are all in one."

William Penn, in his celebrated publication, "The Sandy Foundation Shaken," found in the first volume of his works, says, p. 251, in his introductory address to the reader: "What remains, is to inform the reader, that with great brevity I have discussed, and endeavored a *total enervation* of those cardinal points, and chief doctrines so firmly believed, and continually imposed for the articles of Christian faith: 1. The trinity of separate persons, in the unity of essence. 2. God's incapacity to forgive, without the fullest satisfaction paid him by another. 3. A justification of impure persons, from an imputative righteousness. Which principles, let me tell thee, reader, are not more repugnant to Scripture, reason, and soul's-security, than most destructive to God's honour, *in his unity*, mercy, and purity." And pages 251-2, in relation to the points in controversy between Friends and Thomas Vincent, and other opposers, at a dispute which had

taken place, he observes: "The question was this, Whether we owned one Godhead, subsisting in three distinct and separate persons? as the result of various revises and amendments; which being denied by us, as a doctrine nowhere scriptural, T. V. frames this syllogism from the beloved disciple's words:

" 'There are three that bear record in heaven, the Father, the Word, and the Holy Ghost; and these three are one.'

"These are either three manifestations, three operations, three substances, or three somethings else beside subsistences.

"But they are not three manifestations, three operations, three substances, nor three anything else beside subsistences:

"Ergo, Three subsistences.

"G. W. utterly rejected his terms, as not to be found in Scripture, *nor deduceable from the place he instanced:* wherefore he desires their explanation of their terms, inasmuch as God did not use to wrap his truths up in heathenish metaphysics, but in plain language. Notwithstanding we could not obtain a better explanation, than person, or of person, than the mode of a substance; to all which G. W. and myself urged several Scriptures, *proving God's complete unity:* and when we queried how God was to be understood? if in an abstractive sense from his substance? they concluded it a point more fit for admiration than disputation. But a little to review his syllogism; the manner of it shows him as little a scholar, as its matter does a Christian; but I shall overlook the first, and so much of the second, as might deserve my objection to his major, and give in short my reason, why I flatly deny his minor proposition. No one substance can have *three distinct subsistences*, and preserve its own unity: for granting them the most favorable definition, every subsistence will have its own substance; so that three distinct subsistences, or *manners of being*, will require three distinct substances or beings; consequently three Gods. For if the infinite Godhead subsists in three separate *manners or forms*, then is not any one of them a perfect and complete subsistence without the other two; so parts, and something finite is in God: or if infinite, then three distinct infinite subsistences; and what is this but to assert three Gods, since none is infinite but God? And on the contrary, there being an inseparability betwixt the substance and its subsistence, the unity of substance *will not admit of a trinity of incommunicable or distinct subsistences.*"

But to come to the body of this celebrated work. William Penn proceeds: "The trinity of distinct and separate persons, in the unity of essence, refuted from Scripture.—'And he said, Lord God, there is no God like unto thee, to whom then will ye liken me? or shall I be equal, saith the Holy One?' 'I am the Lord, and there is none else, there is no God besides me.' 'Thus saith the Lord thy Redeemer, the Holy One of Israel.' 'I will also praise thee, O my God; unto thee will I sing, O Holy One of Israel.' 'Jehovah shall be one, and his name one.' Which with a cloud of other testimonies that might be urged, evidently demonstrate, that in the days of the first covenant, and prophets, but one was the Holy God, and God but that Holy One. Again, 'And Jesus said unto him, why callest thou me good? there is none good but one, and that is God.' 'And this is life eternal, that they might know Thee (Father) the only true God.' 'Seeing it is one God that shall justify.' 'There be gods many, but unto us there is but one God, the Father, of whom are all things.' 'One God and

Father who is above all things.' 'For there is one God.' 'To the only wise God be glory now and forever.' From all which I shall lay down this one assertion, that the testimonies of Scripture, both under the law, and since the gospel dispensation, declare one to be God, and God to be one, on which I shall raise this argument.

"If God, as the Scriptures testify, hath never been declared or believed, but as the Holy One, then will it follow, that *God is not a holy three*, nor doth subsist in *three distinct and separate holy ones:* but the before-cited Scriptures undeniably prove that one is God, and God only is that Holy One; therefore he cannot be divided into, or subsist in a *holy three*, or three distinct and separate holy ones. Neither can this receive the least prejudice from that frequent but *impertinent distinction*, that he is *one in substance*, but *three in persons or subsistences;* since God was not declared or believed incompletely, or without his subsistence: nor did he require homage from his creatures, as an incomplete or abstracted being, but as God the Holy One: for so he should be manifested and worshipped without that which was absolutely necessary to himself. So that either the testimonies of the aforementioned Scriptures are to be believed concerning God, that he is *entirely and completely*, not *abstractly and distinctly*, the Holy One, or else their authority to be denied by these trinitarians: and on the contrary, if they pretend to credit those holy testimonies, they must necessarily conclude their kind of trinity a fiction.

"Refuted from right reason.—1. If there be three distinct and separate persons, then three distinct and separate substances, because every person is inseparable from its own substance; and as there is no person that is not a substance in common acceptation among men, so do the Scriptures plentifully agree herein: and since the Father is God, the Son is God, and the Spirit is God, (which their opinion necessitates them to confess,) then unless the Father, Son, and Spirit, are *three distinct nothings*, they must be three distinct substances, and consequently three distinct Gods.

"2. It is farther proved, if it be considered, that either the divine persons are finite or infinite. If the first, then something finite is inseparable to the infinite substance, whereby something finite is in God; if the last, then three distinct infinites, three omnipotents, three eternals, and so three Gods.

"3. If each person be God, and that God subsists in three persons, then in each person are three persons or Gods, and from three, they will increase to nine, and so *ad infinitum*.

"4. But if they shall deny the three persons, or subsistences to be infinite, (for so there would unavoidably be three Gods,) it will follow that they must be finite, and so the absurdity is not abated from what it was; for that of one substance having three subsistences, is not greater, than that an infinite being should have three finite modes of subsisting. But though that mode which is finite cannot answer to a substance that is infinite; yet to try if we can make their principle to consist, let us conceive that three persons, which may be finite separately, make up an infinite conjunctly; however this will follow, that they are no more incommunicable or separate, nor properly subsistences, but a subsistence; for the infinite substance cannot find a bottom or subsistence in any one or two, therefore jointly. And here I am also willing to overlook finiteness in the Father, Son, and Spirit, which this doctrine must suppose.

"5. Again, if these three distinct persons *are one, with some one thing*,

as they say they are with the Godhead, then *are not they incommunicable* among themselves; but so much the contrary, as to be one in the place of another: for if that the only God is the Father, and Christ be that only God, then is Christ the Father. So if that one God be the Son, and the Spirit that one God, then is the Spirit the Son, and so round. Nor is it possible to stop, or that it should be otherwise, since if the divine nature be inseparable from the three persons, or communicated to each, and each person have the whole divine nature, then is the Son in the Father, and the Spirit in the Son, unless that the Godhead be as incommunicable to the persons, as they are reported to be amongst themselves; or that the three persons have distinctly allotted them such a proportion of the divine nature, as is not communicable to each other; which is alike absurd."

In an epistle, by way of preface to Whitehead's "Divinity of Christ," written by George Fox and John Stubbs, among many other pointed remarks on this subject, this passage occurs, page 10: "Mark, reader, he says there are three persons, and *three subsistents* in the Godhead; and hath he not made four here? If there be three in the Godhead, he hath made four; for what is the Godhead? God is *one*, and he hath made *three* beside; see page 4 of his book. And so in the title of his book, he speaks of *three persons* in the Godhead: and are there not *four* then? And in the said fourth page, he says, he thinks he has answered all the arguments of the *antitrinitarians*. He doth *but think so*, it seems."

In page 30 of this work, George Whitehead remarks, in answer to Vincent: "As for instance his argument, page 13, 'The Father, the Word, and the Holy Ghost, are either three substances, or three manifestations, or three operations, or three persons, or something else; but they are not three substances, nor three manifestations, nor three operations, nor any thing else; therefore they are three persons.'

"To the first part;—indeed they must be something. To the minor, if they be neither three substances, manifestations, &c. nor any thing else, this renders them nothing, and contradicts both the major and conclusion, where they are something else, which is three persons (he saith). So the tenor of his argument runs thus: they are something, but they are nothing, (he means nothing else but three persons,) therefore they are three persons. It would have held better thus, but against himself: if the Father, the Word, and the Spirit, be not three distinct substances, then not three distinct persons; but they are not three distinct substances, *ergo;* unless he can show us a distinct person without its own substance. But his brother, T. D. saith, a person is *rationalis naturæ individua substantia*, an individual substance of a rational nature. See how flatly T. D. and T. V. have contradicted one another herein; one affirming they are three persons, because not three substances; the other, that a person is an individual substance. But if T. V., by saying there is not a word in his syllogism but what is to be found in Scripture, intends that every word, particularly, is to be found in Scripture —the word substance, the word manifestation, operation, person, &c. abstractively—what proves this of his matter? for the contrary may be asserted from bare words. I never met with more silly kind of arguing before. And if so be his other argument, from the property of the Father to beget, of the Son to be begotten, of the Holy Ghost to proceed from them both, &c. be an argument sufficient to prove three distinct persons in the Godhead, with three incommunicable properties, &c. then doth it not follow as well, that

every spiritual perfect gift that proceeds from God to man, must needs be a person, and then so many gifts or manifold graces as proceed from him, (or are begotten by him,) are so many persons in him; which would be numerous indeed, and amount to a plurality of trinities: for the Spirit is given variously, and in divers manifestations, and the graces and gifts of God are many and manifold. But the shallowness of this man's arguing, who is it cannot see? Besides, that Christ being the express image of the Father's substance, and the Spirit the life of both, it is neither scriptural nor reasonable to say that the image and life of one and the same thing, should be either two distinct and separate persons from it, or from their own substance. So that still it follows, that if the three bearing record in Heaven, be one divine substance, and not three substances, then not three distinct or separate persons; as also, God is called both the Word and Spirit."

Pages 34, 35: "And where in page 31, it is said, 'In regard to his human nature, the Jews spoke true, Thou art not yet fifty years old: as man, he was the son of Abraham, and born many generations after him,' &c. Now I ask if he was not a person as man, and so born? And if there were three co-eternal persons before, whether this doth not make a fourth? For as he was not fifty years old, this had not reference to his divine nature, as is confessed. But then, when in page 36, 'The generation of the Son must be eternal, the Son being so; (they say) how is his personality, with reference to his being begotten, denied to be infinite?' in page 45. What gross and apparent contradictions are these?

"And as to his instance, Matt. iii. 16, 17, how that 'Jesus went up out of the water, and the Spirit descended like a dove, and lo, a voice from heaven,' to prove a 'distinction of all the three persons; the Son was clothed in flesh, the Spirit in the shape of a dove, the Father was in the voice, he saith,' &c. Let the reader but mark how far short of proving his distinction, this instance is: surely he will not say that the Son was clothed in flesh from eternity, nor the Spirit in bodily shape like a dove from eternity; for if three personalities did consist in these visible appearances, how were they co-eternal, co-essential, co-equal with God? &c. And surely personality doth not consist in the shape of a dove, neither do we read of a person of a dove. Besides, the Spirit's appearing in a bodily shape like a dove, doth not prove that the Spirit was a distinct or separate person from Jesus, for he had the Spirit in him, and was not separate from the Spirit, though that appearance like a dove was for a confirmation to John's belief of him. John i. 32, 33.

"T. V. (Isa. vi. 3) 'Holy, holy, holy, is the Lord of Hosts; the three holies signify the three persons; the Lord of Hosts, the one God.'

"I must confess I never heard this argument before. If each holy signifies a person, how then are they spoken to the one God? and if so many holies as are given in praise to him, do signify so many distinct persons in him, then they will amount to a great many trinities; for it is said, Rev. iv. 8. 'They rest not day nor night, saying, holy, holy, holy, Lord God Almighty,' &c. Now if all the holies they give day and night to him, be so many persons, then they will amount to persons *ad infinitum*. But the absurdity of this argument, who cannot but see? As also his argument from the distinct names, is little better; for God is denominated under many names more than three. And also his arguing from the fourteenth, fifteenth, and sixteenth chapters of John, from personal acts, as he calls them, as

sending the comforter, as speaking and guiding, &c. Where doth the Scripture call them personal acts? Were they not spiritual acts of the divine spirit and power of God? And was there *any* act but what was brought forth *in time?* And was the Father's begetting the Son, a personal act? (however, was it not an act in time?) if so, how says T. V. that the generation of the Son must be eternal? What distracted confused work is here!"

Again, in Whitehead's Answer to Danson's Synopsis, it is said, on pages 62, 63, "John Owen—'Every person hath distinctly its own substance, (but then in contradiction he adds,) for the one substance of the Deity is the substance of each person, but each person hath not its own distinct substance.'

"Reply. A strange riddle and invention, that each person hath distinctly its own substance, and yet not its own distinct substance. What Scripture hath he for this critic and nice distinction? How is a person then an individual substance of a rational nature, that is not upheld by another, if it hath not its own distinct substance, whilst yet it hath distinctly its own substance? But the divine substance of the Deity, of the Father, the Word, and Spirit, is but one, as often hath been granted; so, then, the Holy Ghost, though confessed to be a substance, page 101, yet I say, not a personal substance distinct from the Father and the Son, as there is ignorantly asserted.

"But, then, I. O. to tell us, page 118, that all divine properties, such as to be infinite is, belong not to the persons, on the account of their personality, but of their nature, &c.

"Observation. Then it appears they are not three infinite persons, but one infinite God; and yet those persons are the Father, the Son, and the Holy Ghost: were it not both blasphemy and contradiction to say they are finite? and what better have our opposers said? But at other times they are eternal: God eternal, the eternal Son, and eternal Spirit; and thus they wheel about, and say, and unsay.

"Answer. It were better for them nakedly to apply themselves to the plain language of Scripture and keep to it; to lay aside and avoid confusion and absurdities about distinct finite personalities, which the Scripture does not put upon the infinite God, in whom there is neither finiteness nor variableness. 'I am God, I change not,' saith he; 'the Lord is *one* and *his name one;*' from everlasting to everlasting he is God unchangeable. And the Father, Son, and Holy Ghost being one divine infinite substance, are one infinite God. Away with your vain babbling, and invented erroneous distinctions of finite persons in him who is infinite. You are not worthy therein to talk of God, nor to take his holy, precious, and pure name in your mouths, who are in your sins and pollutions, corrupting yourselves in your carnal conceptions and imaginations about those things that you know not; who are gone after human inventions, invented words, names, terms, and distinctions, such as neither the Holy Ghost nor the Scriptures ever taught you."

And page 75:—"If the Father, the Word, and the Spirit be in each other, and so inseparable, then not three distinct (nor separate) persons; neither can one be several by himself from another."

In the works of Stephen Crisp, pages 82 and 83, it is said: "The doctrines of your church also are reprovable and corrupt in many things, con-

trary to the Scriptures. And first in your doctrines of God, whom you say is to be known and believed on, as in the distinguishment of three persons; and herein ye teach contrary to the Scriptures of truth, which ye say is your rule, and by it are all such dreamers and deceivers judged, and by the spirit which gave them forth, which speaks nowhere of three persons, as ye imagine and teach, but declares of the only wise God, who is *one in his being and subsistence, individual, infinite;* who divideth all things, and to every sort their portion; who limiteth all things, and is not limited; whose power and spirit is inseparable from him, who is the Father of the spirits of all flesh, who by his power createth, and by his spirit quickeneth all living creatures; whose power is the Christ, and whose spirit is the holy and eternal life which they partake of, who wait for his appearance in his power. And these doth not the Scriptures call three persons, but *the one witness in the Heaven,* which you are all ignorant of who dream and divine to the people of a distinguishment of persons in the Godhead. Therefore cease your deceit, ye deceivers and soothsayers of Egypt, and come to the light that shines in the heart, that by it you may come to the true knowledge of God your creator, and of his power by which ye were created, and of his spirit by which he quickens into newness of life, all those who fear him and wait for his salvation, which now by the light is making manifest."

Penington's works, vol. i. pages 264, 265, "There are four instances given, or four particular fundamentals mentioned, to which their doctrines are said to be destructive. First, The sacred trinity. Secondly, The person of Christ. Thirdly, The holy Scriptures as a perfect rule of faith and life. Fourthly, The doctrine of perfection.

"Now for the making of the thing clear and manifest to every sober mind, it is requisite first to consider what the Quakers hold in these several particulars; and then whether that which they hold in these respects be contrary to the truth of these things, as they are plainly related in the Scriptures: for if that which they hold be not contrary to the naked voice and proper intent of the Scriptures, then they are not to be blamed; but the blame will light on their accusers, who might easily be found guilty of injuring both them and the Scriptures, both in these and many other things, were they not judges.

"Concerning the sacred trinity. They generally, both in their speakings and in their writings, set their seal to the truth of that Scripture, 1 John v. 7, that 'there are three that bear record in Heaven, the Father, the Word, and the Holy Spirit.' That these three *are distinct,* as three several beings or persons, this they read not; but in the same place they read that 'they are one.' And thus they believe their *being to be one,* their *life one,* their *light one,* their *wisdom one,* their *power one:* and he that knoweth and seeth any one of them, knoweth and seeth them all, according to that saying of Christ's to Philip, 'He that hath seen me, hath seen the Father.' John xiv. 9. Three there are, and yet one; thus they have read in the Scriptures, and this they testify they have had truly opened to them by that very spirit which gave forth the Scriptures, insomuch that they certainly know it to be true, and own the thing from their very hearts. But as for this title of sacred trinity, they find it not in Scripture; and they look upon Scripture words as fittest to express Scripture things by. And surely if a man mean the same thing as the Scripture means, the same words will suffice to express it: but *the Papists and school-men having missed of the thing which the*

Scripture drives at, and apprehended somewhat else in the wise imagining part, have brought forth many phrases of their own invention to *express their apprehensions by*, which we confess we have no unity with; but are content with *feeling the thing* which the Scripture speaks of, and with the words whereby the Scripture express it."

Francis Howgil, in a tract entitled, "The Popish Inquisition newly erected in New England," says, (Works, page 250,) "Trinity of persons in the divine essence; where learned you this article? From the pope, from the mass-book; yet the Father, Son, and Spirit are owned, and these three are one, and the Father, Word, and Spirit, and these are one. But I challenge all you orthodox professors, to show me from Scripture, where the Holy Ghost (or spirit) is called a person. Be ashamed of your ignorance ye illiterate men."

And page 251: "Do but mark the madness and confusion of these mighty rabbies. Before there must be three persons in one essence, and now Christ must be distinct from the Father and the Holy Ghost; before in God, and now distinct from God! This is damnable doctrine, which hath been brought in since the apostacy; for the Scripture saith, 'God was in Christ, reconciling the world to himself;' how was he distinct from the Father, when the Father was in him? And 'I am in the Father, and the Father in me;' and 'I and my Father are one.' Nay, say New England doctors, they are distinct. And the fulness of the Godhead dwelt in him bodily. How prove you that the Father and the Holy Ghost are distinct from Christ? or how is Christ's person distinct from every believer, when he that is a believer hath him revealed in him, and he that is a true believer eats his flesh and drinks his blood? How is he then distinct? What nearer union can there be expressed? Is that distinct from a man, that he hath in him? But it may be they will say, (as the rest of the dreamers do,) he is in believers by his spirit, distinct from his body. Then I say, Christ is not divided; a person without a spirit, or distinct from the spirit, is not Christ. But this blind doctrine came up since the apostles' days, and was counted as orthodox by the councils at Nice and Lateran, a company of apostates, and hath been counted, by the beast's followers, a great point of divinity."

Robert Barclay, in his Apology, page 333 of the folio edition of his works, asserts, that "the proper essence and nature of God," "is not divisible into parts or measures, as being a most pure, simple being, *void of all composition or division*."

2. They believed that the Father, Son, and Holy Spirit, *as regards the divine nature*, are *one and the same*.

George Fox, for example, in page 396 of his "Great Mystery," thus expresses himself: "He saith, 'God the Father never took upon him human nature.'

"A. Contrary to the Scripture, which saith, 'God was in Christ reconciling the world unto himself;' and thou art ignorant of the great mystery, 'God manifest in the flesh;' and his name is called 'the everlasting Father.' As for the word human, which is from the ground, it comes from thy own knowledge, which is earthly. And Christ took upon him the *seed of Abraham and David, according to the flesh;* and this is Scripture language."

In the works of William Bayly, pages 114, 115, 116, 117, and 118, this ancient Friend sets forth at length, his own opinion, and that of the society,

on this point: "There is a great noise, by way of objection, among many of the professors in this age, against the people called Quakers; which is on this wise, viz: 'We do not understand, say they, that you ever pray to God in the name of Jesus, or in the name of the Lord Jesus Christ, &c. though we grant you often preach and pray, and many good exhortations there are to be heard among you, but we seldom or never hear you pray or preach in the name of *Jesus*, or you seldom use the name of *Jesus* among you; but of *God* and the *Father*, and the *light*, and the *power*, and the *spirit*, and the *wisdom* of God, &c. Seeing it is written, that whatsoever you do, do it in the *name* of the *Lord Jesus;* and to the name of Jesus, let every tongue confess, and every knee bow; and whatsoever ye ask in *my name*, saith Jesus, shall be given to you,' &c.

"To which I shall endeavor to answer, as I have received of the Lord, making it manifest unto the meanest, simple, sober understanding, whose heart truly desires after the everlasting satisfaction which is in the fulness of the *one only true God*, who is *one Lord* and his *name one*, unto or in them who are in subjection to the Higher Power, which hath a name above every name under heaven, to which every knee shall bow.

"First. I do affirm, that they who preach and pray in the spirit, and power, and light, and wisdom of God, do pray in the name of Jesus; for Jesus is but a name which was given unto that which was before that name was, which the angel called a holy thing, and also said, 'That holy thing which shall be born of thee, shall be called the *Son of God.*"* And also, it is written, 'Behold a virgin shall be with child, and shall bring forth a son, and they shall call his name Immanuel; which being interpreted, is *God with us.*' So that this *One Holy Thing* in process of time, according to the knowledge of his works and operations, in and by many, hath several, many, and various names given unto it.

"Therefore consider the weight of the mystery of God, which is manifested, and hath been manifested, through divers things, names, and operations unto mankind, since his departure from that life in which, in the beginning, he was *made in uprightness*, according to its own likeness and image. As, after man had transgressed, the name of this holy thing was then promised under this denomination, 'the seed of the woman,' which was to bruise the serpent's head, which had led into transgression. And his name is called, 'the word of God,' by whom all things were made and created; and he is called, 'the faithful and true witness,' the 'beginning of the creation of God;' and he is called, 'the lamb slain from the foundation of the world;' and he is called, 'the lion of the tribe of Judah;' and he is called, 'the wonderful counsellor;' and he is called, 'the Lord our righteousness;' and he is called, 'the prince of peace,' and 'the tried stone,' and 'a rock;' and yet the same is called the 'branch,' and the 'child,' and the 'mediator,' and the 'redeemer,' and the 'king of Sion,' and the 'star of Jacob,' and the 'star of Israel,' and the 'bright and morning star.' And he saith of himself, 'I am the good shepherd, which lays down his life for the sheep;' and in a certain place it is written, 'the life is the light of men.' And again saith of himself, 'I am the way, the truth, and the life,' and 'I am the true vine,' and 'I am the door;' and yet saith, 'I stand at the door and knock;' and 'I am the light of the world, no man

* Luke i. 31.

cometh unto the Father but by me.' And Moses wrote of him, saying, 'A prophet will the Lord your God raise up in the midst of his brethren, like unto me, and him shall you hear in all things; and it shall come to pass, that he that will not hear that prophet, shall be cut off from among the people.' And the apostle saith, 'Say not in thy heart, who shall go up into heaven, to bring Christ down, or into the earth, or beyond the seas, to fetch him hither for us? But the word is very nigh thee, even in thy heart and in thy mouth, that thou mayest hear it and do it; and this is the word of faith which we preach:' &c. and sometimes saith, 'we preach Christ crucified, unto the Jews, (who sought after an outward sign,) a stumbling-block, and to the Greeks, (who sought after wisdom of words,) foolishness;' but to them that were saved, Christ was the 'power and wisdom of God;' of whom unto them was also made righteousness, sanctification, and redemption; but it is a stone of stumbling and rock of offence unto them that are disobedient to the word of faith, which is very nigh, in the heart and in the mouth,' &c.

"Secondly. Now rightly consider and understand, that *all these various names* were given to and spoken of *one and the self same thing*, (as it is written, 'the undefiled is but one,') in which is the substance of them all, and all types, shadows, figures, and words centre and end, even in him who is the alpha and omega; to which they were given, according to the dispensations, manifestations, and operations unto the understandings, and sensible workings in the souls of the sons of men. As thus, when he manifesteth unto man his transgressions, vain life, words, and conversation, and the evil of his ways, and that he hath not peace with God, being in the fall, by this first appearance this holy thing is properly called 'light;' and as it checks, reproves, troubles, and smites, it might be called a 'manifestation of the power and spirit of God;' and as it judgeth and condemneth in the same, he is properly called 'a law-giver' and 'a judge;' and as he destroys and slays the enmity or root of iniquity in man, which separates from God, he is called the 'word of reconciliation;' and so having reconciled by his power or life to God again, by this operation and effectual work, he is rightly called 'a redeemer,' 'a restorer,' and 'a maker up of the breaches.' And as he guides, draws, and leads out of sin, he is called a 'leader or commander of the people;' and as he preserves and defends them whom he hath led out of transgression in himself, he is called a 'rock,' a 'refuge,' a 'shield,' a 'strong tower,' and a 'munition of rocks,' &c. And as he instructs, teaches, and counsels, he is called the 'wonderful counsellor,' the 'prophet,' and 'high priest,' and the 'overseer of the soul;' and as he rules, and hath the dominion in man, then may he by that man be properly called 'the Lord,' and in truth may say, 'the Lord is my light, the Lord is my judge, the Lord is my law-giver, the Lord is my king, my shepherd, my saviour,' which is Christ, the power of God, the anointing; which, when so known and enjoyed, as before mentioned in a man, there is truly witnessed the knowledge of the only true God, and the government and kingdom of the Lord Jesus Christ, and not before. He that can receive it, let him.

"Now, it is written, 'His name shall be called Jesus; for he shall save his people from their sins.' Mark, *his* name, signifying it was *a thing* before the name Jesus was, or any other of those names before mentioned. For he is that word, or power, by which all things that were made were made

and created, of which it is said, 'In the beginning he was with God, and was God;' and by the angel called 'Immanuel, God with us;' and by the apostle, the 'power of God,' and the 'wisdom of God.' So that it is not the names which are to be contended or striven about, (which is to no profit,) but rather to wait to know that name which is a 'strong tower,' to which every knee shall bow, of things in heaven and things in earth, which is the higher power, of God ordained, that to it every soul should be subject, &c.

"So that all these names are given to the power of God, in which is the fulness of the treasures of life, virtue, goodness, mercy, truth, wisdom, and knowledge; which never fadeth away, and in which is enjoyed every good and perfect gift. The power of God, who is light, reproveth for sin; the power of God instructs, teaches, guides, counsels, restores, reconciles, preserves, defends, and gives victory and dominion, where it is obeyed, over all things which are contrary to the power of God.

"So, all these names are given to the power of God, which is but one, and is that name which is 'as precious ointment poured forth,' and is the strong tower in which the righteous are safe, which is called 'Christ,' 'God with us,' 'the Immanuel,' which worketh and fulfilleth the Father's will, or effecteth the willings and purposes of the original fountain from whence it springs, which holy thing is called rightly 'the Son of God,' 'the heir of all things,' by which they were made and created; and he is before all things and the end of all things, the 'alpha' and 'omega,' the 'amen.'

"Thirdly. Now, if any pray, or preach, or speak in the power of God, and in the wisdom of God, they do it in the name of Jesus; or if any pray in the truth, and the life, and the way, they pray in the name of Jesus; and if any pray in the true light and spirit of God, 'which lighteth every man that cometh into the world,' they pray in the name of Jesus; as it is written, 'the true worshippers worship the Father in the spirit, and in the truth;' and not every one that saith, 'Lord, Lord,' or that can often mention the name 'Jesus.' It is another thing than the wisdom of this world can either speak or comprehend: for it is written, 'whosoever shall call upon the name of the Lord, shall be saved;' and 'no man can call Jesus Lord, but by the spirit of God;' and 'every one that nameth the name of Jesus, departs from iniquity.' He that can hear, let him.

"Therefore, stumble not nor dispute not about names, or words, or letters, which were given, through the various operations, to the one, holy, undefiled, unchangeable thing, *as it was witnessed, understood, and enjoyed*, by those men which were made holy through the divine workings, teachings, instructions, counsels, and guidances of it.

"Fourthly. Now mark and consider these words following: 'Whatsoever you do, do all in the name of Jesus;' and 'to the name of Jesus let every knee bow, and tongue confess;' and 'through the name of Jesus the devils were made subject;' and 'through faith in the name of Jesus people receive the remission of sins,' &c.

"Yet again it is written, by the true Christians, 'We are the circumcision that worship God in the spirit, and have no confidence in the flesh;' and saith, 'If ye walk in the spirit, ye shall not fulfil the lusts of the flesh; and 'I will pray with the spirit, and sing with the spirit, and with the understanding;' 'For the Son of God is come, and hath given us an understanding,' &c.

"And again: 'As every one of us have received Christ Jesus the Lord,

so let us walk in him;' and 'if we are in the light, as he is in the light, then have we fellowship with the Father, and with the Son Jesus Christ, and one with another,' in him. And the Father, Son, and Spirit are one, which was before the names, letters, or words were, or before the bodies of creatures were made and created; who is the invisible, only wise God, who to us is one Lord, and his name one And 'as many as are led by the spirit of God, they are the sons of God.' And Adam, before transgression, before the names were given to any creatures or things, or words or letters were, was in the image of God, and blessed of God, in dominion over all creatures, the son of God; and he that leads again out of transgression into the paradise of God, is the 'second Adam,' the 'Lord from heaven,' the 'quickening spirit,' which is given to us, who have believed and received him, to lead us into all truth, and is our comforter, instructor, preserver, king, and saviour, reproving the world for sin, and for righteousness, and for judgment, as it is written. So there is a white stone given, with a new name in it, which no man knoweth but he that receiveth it.

"But as many as receive this white stone, (the light,) to them he gives power to become the sons of God; in which the names end, and that name only remains which is a strong tower, and a sure dwelling-place for all the upright in heart, from the beginning, at this day, and for ever. Amen."

In the works of Isaac Penington, vol 1. pages 693-4, this explicit passage occurs: "God is ONE. There are *many names*, but *the thing is one.* The life, the power, the wisdom in the Father, Son, and Spirit, is all one: yea, they themselves are one, *perfectly one*, not at all divided or separated; but where the Father is, the Son is; and where the Son is, the Spirit is; and where the Spirit is, there is both the Father and the Son, who tabernacle *in man* in the day of the gospel. And where these are, there that is which is to be preferred before all words, which was afore them, and is in nature, Spirit, and glory above them. He that hath the Son, hath life, even the life eternal, which the words testify of. He that hath the Son, hath him which is true; and he that is in the Son, is in him that is true; and abiding there, *cannot be deceived;* but *he that is not there, is deceived, let him apprehend and gather out of the Scriptures what he can.*"

Again, in vol. 2d, pages 17, 18, he says: "If I, or any one else, have felt the saving arm of the Lord revealed in us; if we have felt a measure of the same life, power, and anointing revealed *in our vessels as was revealed in his*, is it not of the same nature? Is it not the same thing? Is not Christ the seed? And is not this seed sown in the heart? Now if this seed spring and grow up in me into a spiritual shape or form (though it be but of a babe), is not Christ then formed in me? If I be ingrafted into, and grow up in it, am I not ingrafted into Christ, (the true olive-tree, the true vine,) and do I not grow up in him? *And is not this the same Christ that took upon him the body of flesh, and offered it without the gates of Jerusalem?* Is there any more than one, or is there any other than he? Is Christ divided? Is there one Christ within, and another without? He that knoweth the least measure of the thing, doth he not know the thing in some measure? And he that is in the least measure of the thing, is he not in the thing? He that knoweth the Son, doth he not know the Father? And he that knoweth the Spirit, doth he not also know the Son? And he that is in the Spirit, is he not in the Son? For they are *one nature and being.* A man *may have notions* of the one, and not of the other; but their nature, their being, their

life, their virtue is inseparable. And as Christ said concerning the Father, that he was in the Father, and the Father in him; and that he that saw him, saw the Father; so may it not be as truly affirmed (in the true sense and understanding of life) concerning Christ, that he is in the Spirit, and the Spirit in him; and that he that seeth the spirit, seeth him; and he that seeth him, seeth the Spirit? *for he is the Spirit*, according to that Scripture, 2 Cor. iii. 17. 'Now the Lord is that Spirit; and where the Spirit of the Lord is, there is liberty.' What to do? Why, to see and read within the veil, and to behold the glory of the Lord, which is revealed there; which they whom the veil was over formerly, or whom the veil is over now, have not liberty to do. Here is confusion and impossibility to man's wisdom; that *Christ should be all one with the Spirit;* that *Christ should send the Spirit in his name*, and also *himself be the Spirit whom he sends.* (This is a hard saying, who can bear it?) And yet this confusion to man, is God's wisdom, and precious in their eye who are taught of him.

"For it is one and the same Christ that was signified in types and shadows under the law, revealed in the fulness of time in that prepared body, and afterwards in Spirit."

In George Whitehead's Christian Quaker, page 352, it is said, "Whereas H. G. saith, 'Are there not three that bear record in heaven?' I say yes, and these three are one. And is not Christ the Saviour that Word which is one of the three? which are but one Divine Being, thing, or substance, *though revealed under several considerations, and diversities of manifestations, and degrees of discoveries*, yet all *one divine life and being*, as God is the Word, the Life, the Light, and so is Christ. And the holy Spirit is life to the righteous, and so is Christ the way, the truth, and the life. 'In him was life, and the life was the light of men;' the life affordeth light to all, and the light life to all that obey it, and in it follow Christ. Such receive the light of life, and come to walk in the light of the living. As the light of life is received unto justification and peace, the holy Spirit is received, in that glorious ministration, as comforter, after a state of desolation and sorrow, of whom Christ said, 'He shall receive of mine and shall show it unto you.' John xvi. 13."

William Penn, 1st vol. page 269, thus expresses himself, on this point: "I sincerely own, and unfeignedly believe, (by virtue of the sound knowledge and experience received from the gift of that holy unction, and divine grace inspired from on high,) in one holy, just, merciful, almighty, and eternal God, who is the Father of all things; that appeared to the holy patriarchs and prophets of old, at sundry times, and in divers manners; and in one Lord Jesus Christ, the everlasting wisdom, divine power, true light, only saviour and preserver of all, *the same* one, holy, just, merciful, almighty, and eternal God, who in the fulness of time took, and was manifested in, the flesh, at which time he preached (and his disciples after him) the everlasting gospel of repentance, and promise of remission of sins, and eternal life to all that heard and obeyed; who said, he that is with you (in the flesh) shall be in you, (by the Spirit,) and though he left them, (as to the flesh,) yet not comfortless, for he would come to them again, (in the Spirit:) for a little while, and they should not see him (as to the flesh;) again, a little while and they should see him (in the Spirit;) for *the Lord (Jesus Christ) is that Spirit*, a manifestation whereof *is given to every one to profit withal*, in which holy Spirit I believe, as *the same* Almighty and Eternal God; who,

as in those times he ended all shadows, and became the infallible guide to them that walked therein, by which they were adopted heirs and co-heirs of glory; so am I a living witness, that the same holy, just, merciful, almighty, and eternal God, is now, as then, (after this tedious night of idolatry, superstition, and human inventions that hath overspread the world,) gloriously manifested to discover and save from all iniquity, and to conduct unto the holy land of pure and endless peace; in a word, to tabernacle *in men*."

3. Instead of considering the doctrine of the three that bear record in heaven, or the Father, Son, and Holy Spirit, as "a mystery beyond finite human conception," and that they were not "warranted in making deductions" from the Scripture text, they *did explain their understanding of the terms*, and that they were intended to express *three manifestations or operations* of the *one* infinite and indivisible God. In other words, they accepted them to express, not an abstract, speculative idea, which would bewilder and confound, but an important practical truth, which they could know and realize in their own experience.

Thus, Francis Howgil, in his works, pages 307-8, says: "In the ninth page thou art going about to prove thy trinity, as thou callest it, and thou sayst, 'the Father is a distinct subsistence, and the Son is a distinct subsistence and the Holy Ghost is a distinct subsistence;' and thou bringest John v. 'There is another bears witness likewise,' speaking of the Holy Ghost; he calls him another; and this another (thou sayst) is intelligible of the essence, and then sayst, 'What is more manifest than another subsistence, and another subsistence speaks distinct subsistences;' and thou sayst, 'the Spirit is called the band of trinity.'

"Answer. Another is not understood of another being, of another life, or another substance, but is understood of *another manifestation or operation of the same God*, who subsists in the same power, in which the Father, the Son, and the Spirit subsist, as I said unto thee before. Another, as *to distinguish of the operation and work of the Spirit and of the Son, we do not refuse*; but to make three distinct essences and beings is ignorance and error, as thou sayest, 'Another is intelligible of the essence,' and so thou hast made three essences, three subsistences, three persons, and three Gods. But we say, there is but one God, and there are three that bear record in heaven, the Father, the Word, and the Spirit, and these three are one. Now as for subsistence and essence, they are unsound words, coined of yourselves, from your dark imaginations, in which *there is no truth at all*, but to cast a mist. Now where the Holy Ghost is called a person in the Scripture, I have never read, and where it is called the band of trinity, I have never heard of before thee; and so thy blind ignorant conclusions and sophistical arguing will have little place with them that are come to know the teachings with the Spirit, and also keep to a form of sound words, which thou canst not."

William Bayly, in a work published in 1660, pages 115, 117, already quoted, is clear to this point. "Now rightly consider," says he, "and understand, that *all these various names* were given to and spoken of *one and the self same thing*, (as it is written, 'the undefiled is but one,') in which is the substance of them all, and all types, shadows, figures, and words, centre and end, even in him who is the alpha and omega; to which they were given, *according to the dispensations, manifestations, and operations* unto *the understandings*, and *sensible workings* in the souls of the sons of

men." And again, "Therefore stumble not nor dispute not about names, or words, or letters, *which were given through the various operations*, to the one, holy, undefiled, unchangeable thing, *as it was witnessed, understood, and enjoyed*, by those men which were made holy through the divine workings, teachings, instructions, counsels, and guidances of it."

George Whitehead, in his work on the Divinity of Christ, speaks thus, pages 23, 24: "The divinity of Christ, confessed by us called Quakers; and, what we own touching the Deity or Godhead, according to the Scriptures:

"That there is but one God, the Father, of whom are all things, and we in him, and one Lord Jesus Christ, by whom are all things, and we by him.

"That there are three that bear record in heaven, the Father, the Word, and the Spirit, and that these three are one, both in divinity, divine substance, and essence; not three Gods, nor separate beings.

"That *they are called by several names in Scripture, as manifest to and in the saints*, (for whatsoever may be known of God, is manifest in man, Rom. i.) and their record received as the full testimony of three, by such *as truly know and own* the record of the three in earth; and yet they are *eternally one in nature, and being; one infinite wisdom, one power, one love, one light and life*, &c.

"We never denied the divinity of Christ, as most injuriously we have been accused by some prejudiced spirits, who prejudicially, in their perverse contests, have sought occasion against us. As chiefly because (when some of us were in dispute with some Presbyterians) we could not own their *unscriptural distinctions* and terms, touching the Father, the Word, and the Holy Spirit, to wit, of their being incommunicable, distinct, separate persons, or *subsistences;* whereas the Father, the Word, and the Spirit are one, not to be compared to corruptible men, nor to finite creatures or persons, which are limitable and separable. For, the only wise God, the creator of all, *who is one, and his name one, is infinite and inseparable.* Deut. vi. 4. Zec. xiv. 9. And the Father's begetting the Son, and the Spirit's being sent, *we witness to and own*, as he said, Thou art my Son, this day have I begotten thee. Psal. ii. 7. Heb. i. 5. And he hath sent his Spirit into our hearts, Gal. iv. 6.; and that the Father is in the Son, and the Son in the Father, yea, in the bosom of the Father. John i. xviii. and ch. xvii. 21, 23. So that they are neither divided, nor separate, being one, and of one infinite nature and substance; Christ being the image of the *invisible God*, the first-born of every creature, by whom all things were created, both in heaven and in earth. Col. i. Yea, the Son of God is the brightness of his glory, and the express image of his substance, Heb i. 3. ὑποστάσεως, and that it was in due time God was manifest in the flesh. 1 Tim. iii. 16. As in the fulness of time God sent his Son. Gal. iv. And the Son of God was made manifest to destroy sin. 1 John iii. 8. And a manifestation of the Spirit is given to every man to profit withal. 1 Cor. xii. *So the manifestation of the Father, of the Son, and Holy Spirit, we confess to, and own to be in unity, (and so the only true God,) according to the Scriptures.*"

And page 25, "And our knowledge of the only true God, and our faith in, and concerning him, and his name, unto our salvation, doth not consist in the traditional names, human inventions, nor in philosophical terms, and

nice school distinctions, derived from heathenish metaphysics, which since the apostles' time, men have put upon the Godhead; *but in the living sense, and feeling of his divine power, life, and love, revealed in us by the spirit of the Son of God.* Whereby we have, in his gift of divine light and spirit, received life, and salvation from sin and death. See Matth. xi. 27. Luke x. 22. Matth. xvi. 17. Rom. i. 17. chap. viii. 18. Gal. i. 16. Eph. iii. 5. 1 Pet. xv. 12. ch. iv. 14. ch. iv. 13. ch. v. i. 2 Pet. i. 3 Matth. i. 21."

And in chap. 2, p. 15, he says: "And now let the reader judge whether such dark envious persons (as thou herein hast shown thyself,) are fit to be judges in these things of controversy, about such high matters, touching the three that bear record in heaven, (viz. the Father, the Word, and the Spirit,) when thou in thy earthly sensual wisdom, *never camest there*, neither canst thou till thou countest it loss unto thee, and comest to lose it, that the babe's state that enters the kingdom be known, in which the light and life of the Son of God is manifest, which discovers the hidden things of darkness, and reveals the mysteries of God's salvation to them that obey it."

Again: "The Father, Word, and Spirit, we really own, and bear witness to, both as mentioned in the Scripture, and *as knowing the absolute testimony and eternal power thereof manifested*, where that *which may be known of God is manifest*, (even *within*,) both in creating, begetting, and quickening us again to God out of death and darkness."

And page 31, he has this pertinent remark: "He saith, 'Reason, it may be, will leave us in our search after the Deity in the trinity, and the trinity, &c. but where reason faileth, *faith* must supply its room:' and then tells us of 'mysteries which reason cannot demonstrate to us,' and that 'in this mystery of the trinity we must exercise our faith, though we cannot clear it to ourselves by demonstration,' &c. But sure whilst reason hath so much failed T. V. and his brethren in this matter, that thereby they cannot clear it to themselves by demonstration, it is very strange and unreasonable they should make such a stir in the dark, as they have done, to impose it on the faith of others; and what tends this to, but to force people to exercise an implicit faith, whilst they have neither Scripture, reason, demonstration, nor revelation, (for that is ceased they say,) to ground a faith upon in this matter."

And page 94, of his answer to Danson's Synopsis, he again says: "The three that bear record in heaven, the Father, the Word, and the Spirit, (or the Father, Son, and Holy Ghost,) are one, and inseparable; nowhere in Scripture called three separate persons, nor finite in personalities; though *three in manifestation*, and so testified of (as three witnesses) for the confirmation of the testimony of the gospel."

In Fox's Great Mystery, page 385, we have another strong passage bearing on the subject, viz. "The light which every man that cometh into the world is enlightened with, the covenant of God to Jews and Gentiles, doth enlighten every man that cometh into the world; and they that walk in the light walk in Christ, and come to see before any natural light was. And he that walks in the light shall not abide in the darkness, but shall have the light of life; and *with the light he shall know God, he shall know the Son*, he shall know the gospel, he shall *know the Holy Ghost*, and that light is not natural. And he that knoweth God knoweth the Father; and none know him but with the light of Christ Jesus who reveals him; for God is

the Father. And 'I will give him for a covenant, a light to the Gentiles, a new covenant to the house of Israel and Judah,' who doth enlighten every man that cometh into the world, a leader of the people, a leader of them from death to life, to God, out of the fall, out of the first man Adam, a bringer in of righteousness, peace, and joy, and truth, and grace, to all that believe and receive him; but they that hate the light it is their condemnation. The light, Christ, the covenant of God, is the leader of the people out of the fall, out of all deceit, unto God, and *it is sufficient.* It is the end of the prophets' and the apostles' teaching, the fountain of life, in which every one sees life."

4. The ancient Friends believed, that Christ is the wisdom and power of God, who was manifested in fulness in the man Jesus. That the body bore the name Christ from the virtue of the Father that dwelt in and actuated it, but that the term was applicable, in its *strict and highest sense*, to the *divine nature.* That the Saviour the Jesus, the Christ, was from everlasting: that his taking a prepared body, or his being manifested in the man Jesus, made no alteration in him. That the manhood was but *instrumentally* a Saviour, being *entirely dependent on the Father*, for everything he had, and everything he did.

Thus Isaac Penington, who says, vol. 1, pages 266-7: "They (the Quakers) believe that Christ is the eternal light, life, wisdom, and power of God, which was manifested in that body of flesh which he took of the virgin: that he is the king, priest, and prophet of his people, and saveth them from their sins, by laying down his life for them, and imputing his righteousness to them; yet not without revealing and bringing forth the same righteousness in them, which he wrought for them. And by experience they know, that there is no being saved by a belief of his death for them, and of his resurrection, ascension, intercession, &c.' without being brought into a true fellowship with him in his death, and without feeling his immortal seed of life raised and living in them. And so they disown the faith in Christ's death which is only received and entertained from the relation of the letter of the Scriptures, and stands not in the divine power, and *sensible experience of the begotten of God in the heart.*

"Now they distinguish, according to the Scriptures, between that which is called the Christ, and the bodily garment which he took. The one was flesh, the other spirit. The flesh profiteth nothing (saith he,) the spirit quickeneth; and he that eateth me, shall live by me, even as I live by the Father. John vi. 57. 63. This is the manna itself, the true treasure; the other but the visible or earthen vessel which held it. The body of flesh was but the veil. Heb. x. 20. The eternal life was the substance veiled. *The one he did partake of, as the rest of the children did;* the other was he which did partake thereof. Heb. ii. 14. The one was the body which was prepared for the life, for it to appear in, and be made manifest. Heb. x. 5. The other was the life, or light itself, for whom the body was prepared, who took it up, appeared in it to do the will, Ps. xl. 7, 8, and was made manifest to those eyes which were able to see through the veil wherewith it was covered. John i. 14.

Now is not this sound according to the Scriptures? And is it not a good way to know this by unity with it, by feeling a measure of the same life made manifest in our mortal flesh? 2 Cor. iv. 11. This we confess is our way of understanding things; and likewise of understanding the Scriptures

which speak of these things. And we have found it a far surer kind of knowledge; namely, to understand the Scriptures by experience of that whereof the Scripture speaks, than to guess at the things the Scripture speaks of, by considering and scanning in the earthly part what the Scriptures speak of them. Such a kind of knowledge as this, a wise man may attain to a great measure of; but the other is peculiar to him who is begotten of God, whose knowledge is true and certain, though it seem ever so different from his who hath attained what he hath by the search of his wisdom."

Again, vol. 2. page 11, "Now, friends, if ye will know aright, or believe aright, ye must know and believe in him, who was with the Father before the world was; who was the Saviour, the Jesus, the Christ, from everlasting. For what makes him so? Is it not his nature? Is it not the power of salvation in him? His taking up a body *made no alteration in him, added nothing to him;* only it was necessary that he should take it up, *to fulfil the will* in it, *and to offer it up a sacrifice in his own life and spirit to the Father.* This we firmly believe; and this also we cannot but say further, that the virtue, the value, the worth, the excellency of what was done by him in the body, was not of the body, but it was in him before time, in time, and will be after time, and for ever: yea, it is he to whom the name Jesus and Christ did of right belong before he took up the body: and he only put forth in the body the saving virtue which he had before, which belonged to the nature, to the anointing in him, *whether ever he had saved any with it or no.* And this virtue, this life, this spirit, this nature of his, is the food, the righteousness, the garment of life and salvation, which he (through the death of the body) made and prepared a living way for the soul to come to, to feed on, and be clothed with. I can hardly stop speaking of these things for your sakes, that through my words (or the words of whom the Lord shall please) ye might come to feel that which is able to give you the holy understanding, and might come to the *true sense and experience of the truth itself,* and might see who hath blinded you, and how he hath blinded you and fed you with *husks and dry food,* instead of that which hath the *true living sap in it.* But while ye see and judge in that which is wrong, ye must needs judge amiss both of yourselves and others, and also of the truth itself, and of *the words spoken, either formerly or now, concerning it,* whereby ye expose and bring yourselves under the righteous judgment of the truth itself, even of the Son, and the light of his day, which hath power from the Father to judge all false appearances, deceits, and deceivers."

And vol. 1, page 271. "That which unites and ties the soul to Christ, the life, abides in the soul for ever, even as the union itself abides. And *there is a growing in the life,* even where the heart is purified from sin, *even as Christ did grow and wax strong in spirit;* for a state of perfection doth not exclude degrees."

Again, vol. 2, page 229; "It is said of Christ, 'He shall not judge after the sight of his eyes, nor reprove after the hearing of his ears, but with righteousness shall he judge,' &c. Isa. xi. 3, 4. Christ judged righteous judgment. How came he to judge so? Why, he judged in and with the spirit. He kept to the spirit's judgment. *The spirit of the Lord rested upon him, and made him quick of understanding in the fear of the Lord,* ver. 2. 3. And no man can judge aright concerning the things of God, but in and by the same spirit."

On page 26, he says, "Now that professors generally have not received their knowledge of Christ from the spirit, or from Scriptures opened in the spirit, (and so know not the thing, but only such a relation of the thing as man's reasoning part may drink in from the letter of the Scriptures,) is manifest by this, in that they are not able in spirit and understanding to distinguish the thing itself from the garment wherewith it was clothed, though the Scriptures be very express therein. Speak of Christ according to a relation of the letter, there they can say somewhat; but come to the substance, come to the spirit of the thing, come to the thing itself, there they stutter and stammer, and show plainly that they know not what it is.

"Now the Scriptures do expressly distinguish between Christ and the garment which he wore; between him that came, and the body in which he came; between the substance which was veiled, and the veil which veiled it. 'Lo! I come; a body hast thou prepared me.' There is plainly he, and the body in which he came. There was the outward vessel, and the inward life. This we certainly know, and can never call the bodily garment Christ, but that which appeared and dwelt in the body. Now if ye indeed know the Christ of God, tell us plainly what that is which appeared in the body? Whether that was not the Christ before it took up the body, after it took up the body, and for ever?

"And then their confining of Christ to that body, plainly manifesteth that they want the knowledge of him in spirit. For Christ is the Son of the Father; he is the infinite eternal being, one with the Father, and with the Spirit, and cannot be divided from either; cannot be anywhere where they are not, nor can be excluded from any place where they are. He may take up a body, and appear in it; but cannot be confined to be nowhere else but there; no, not at the very time while he is there. Christ, while he was here on earth, yet was not excluded from being in heaven with the Father at the very same time; as he himself said concerning himself, 'The son of man, which is in heaven,' John iii. 13. Nor was the Father excluded from being with him in the body; but the Father was in him, and he in the Father: whereupon he said to Philip, 'He that hath seen me, hath seen the Father.' What! did every one that saw that body, see the Father also? Nay, not so; but he that saw Christ, the Son of the living God, whom flesh and blood revealed not, but the Father only, (Matt. xvi. 16, 17,) he saw the Father also."

On pages 379, 380, he says, "Now while he was in the body, his glory did shine to the eye of the children of the true wisdom: his disciples (to whom not flesh and blood, nor the wisdom and knowledge which they could get from the letter, but his Father revealed him) they saw the hidden glory; they saw through the veil of his flesh, and beheld him as the only begotten of the Father, full of grace and truth.

"Now in this body he finished the work which his Father gave him to do; he fulfilled all righteousness, (the righteousness of the letter, the righteousness of the spirit,) that he might bring his through the righteousness of the law or letter, into the righteousness of the spirit and power, into the righteousness of the new life; and here that Scripture is read and fulfilled, 'I through the law am dead to the law, that I might live to God.' So his whole life was a doing the will of the Father, which sent him.

"When he was but twelve years old, he disputed with the doctors and teachers of the law, hearing and asking them questions, (discovering *the pure wisdom of the Father which dwelt in him,*) because it was his Father's business which he was to be about, as he told his mother, Luke ii. 49. And when the Lord led him into the wilderness to be tried, he went and was tempted, that he might fight the battle against his great adversary. *And when the spirit of the Lord was upon him, moving him to preach the gospel, he preached the gospel in the spirit and power of the Father,* and went about doing good, and healing all that were oppressed of the devil, *as his Father's spirit led and guided him:* for *he did nothing of himself,* or in his own will, or for himself; but *all in the will and time of the Father.*

"'Mine hour is not yet come,' said he to his mother, when she was hasty to have him do that miracle of turning water into wine, John ii. 4. And so when his brethren urged him to go up to the feast, (John vii. 3, 4.) 'My time,' said he, 'is not yet come; your time is always ready,' ver. 5."

Again, on pages 5 and 6. "There was the seed that wrought the thing, which seed was *the life;* and the *seed in which he wrought it,* which was *formed into a vessel like ours,* but without sin, in which the pure Lamb appeared in the pure power of life, which *kept the vessel pure;* and so he, (who was to be the first-fruits,) had *the honour above all his brethren,* being anointed with the oil of gladness above his fellows.

"But we also are born of the same seed. He is formed in us; we are formed of him; we are as well of his flesh and blood, as he was of ours. And by being thus formed, and feeling him grow up in us, and receiving an understanding from him, and in him, thus we come to know him, and to understand the words of Scripture concerning him. By feeling and knowing the Lamb in our vessels, we know also what was the Lamb in his vessel."

In George Fox's "Great Mystery," page 346, we read:

"P. They say, 'If the apostles had been put to preach upon a short text, or methodically, as by a long practice in the church, is expected from us, they might ofttimes have studied for it.'

"A. In this you have showed your spirits, and made manifest you are void of the revelation from God, and your ignorance of the Scriptures; for the Holy Ghost shall not speak of itself, but take of his. And the apostles, what they had seen and heard they declared. And Christ, *what he had received of the Father, he declared.* And the spirit is that which speaks in the church, and it shows the fulfilling of the Scriptures, and it keeps not people long in texts, as the world doth, that wrests Scriptures up and down, and keeps people in sects. And so, there is the spirit leading into all truth, and the spirit of the Father speaking within, and the Holy Ghost that moved men to give forth Scripture, that teacheth to divide the word aright, which is the spirit of prophecy in the church, not studying."

In Fox's Journal, vol. 1, pages 109, 110, it is said, "Moreover, the Lord God let me see, when I was brought up into his image in righteousness and holiness, and into the paradise of God, the state, how Adam was made a living soul; and also *the stature of Christ,* the mystery that had been hid from ages and generations: which things are hard to be uttered, and cannot be borne by many. For of all the sects in Christendom (so called)

that I discoursed withal, I found none who could bear to be told, that any should come to Adam's perfection, into that image of God, that righteousness and holiness that Adam was in before he fell; to be clear and pure without sin as he was. Therefore, how should they be able to bear being told, that any should grow up to *the measure of the stature of the fulness of Christ*, when they cannot bear to hear that any shall come, whilst upon earth, into the same power and spirit that the prophets and apostles were in? Though it be a certain truth, that none can understand their writings aright, without the same spirit by which they were written."

On pages 180, 181, George Fox says: "I told him, 'Now he could see a thief, and join hand in hand with him: but he could not preach Moses, nor the prophets, nor John, nor *Christ*, except he were in the same spirit that *they* were in.'"

In George Whitehead's Christian Quaker, page 373, it is said, "The *true Christ* is but *one and the same for ever*, though variously manifested, as both in the flesh and in the spirit; both *in his flesh*, or body, *entirely, wherein he came unto his own, the Jews*, who received him not, and *spiritually in his followers who have received him*. For he said to his disciples, 'he that is with you shall be in you;' and to his Father, 'I in them, and thou in me, &c. that the love wherewith thou hast loved me, may be in them, and I in them.' But thus not universally in man, though, in some degree and sense, he appears universally in man."

In page 307, of the same work, it is said: "*The life of Christ as manifest in mortal flesh*, hath partaken of the afflictions of the upright in all ages. And the spirit of God is grieved, the just principle oppressed and offended with men's iniquities and transgressions. So Christ, considered as a seed, and in that low estate, is capable of being formed in man, both of being raised up in man by the power of the Father, of growing up as a tender plant, and as a root out of dry ground, and so of receiving power and help from him; as indeed every seed that is sown, and every plant that takes root, is capable of receiving virtue and nourishment according to its kind, or else it cannot be quickened to life, grow, or bring forth fruit. And such a growth of the immortal seed *was both in Christ and in his people*, which must be owned, if the seed of the kingdom within, and *the spiritual birth, or forming of Christ within*, (or he as a seed or plant of renown,) be *known and owned*, or a suffering, crucifying, dying, and living with Christ *be witnessed by man*.

"For Christ's *suffering, cross, death, resurrection, life, and dominion are spiritually known in* THE TRUE BELIEVER, who is *of that seed which Christ took upon him*. Yea, his spiritual begetting, spiritual forming in man, and spiritual birth is known within; and all for the redemption and salvation of man to God, or else he *falls short of life and glory;* and he that brings up the soul out of the horrible pit first descends thither."

And page 308: "Moreover, as the elect seed is spoken of in the Scripture, both with respect to Christ the anointed, and with respect to his seed and heritage; so also the seed is Christ, not only as in himself, *anointed with the oil of gladness above his fellows*, but also *as in union and conjunction with his church or members*. As the body is one, and hath many members, so also is Christ; and so Christ and the body comprehensively

are one. He is the Anointed, and we are anointed in him, and he that hath anointed us is God.

"By all which it is understood, that we are partakers of the life, redemption, and privilege that is in Christ, as we are in him, and grow up in him."

George Whitehead's "Light and Life of Christ," pages 34, 35: "Again he says: 'Christ was seen with a carnal eye, and his voice heard with a carnal ear.' (Pages 25, 28, 29.) Whereas Christ said, 'he that seeth me, seeth my Father also.' Now dare he say, that God is such a visible object as may be seen by a carnal eye? Surely nothing is obvious to the carnal eye but that which is carnal or outward; but so is not the invisible. But indeed if the body that Christ took upon him in the virgin, and which was afterwards *crucified and put to death*, was *God*, (for he tells of God-man being born of the virgin,) then this would make God visible, and *to die*, when that body was put to death; which were no less than blasphemy; whereas *God was manifest in flesh*, Christ came *in* the flesh, (1 Tim. iii. 1 John iv.) and so *did bear the name Christ as he was in the flesh*."

And again, page 46. "Baptist. 'He was that day born a Saviour: but had the light within been the Saviour, or the spirit, or the Godhead, then this had not been that day born.'

"Answer. Hereby has he denied the spirit, the light within, or the Godhead to be the Saviour, and so has gone about to make a separation between Christ, the spirit, the light, and Godhead: whence then came this Christ? and by whose power was he a Saviour? had he any power but what was given him of the Father? But a Saviour was born: what was he born for but to bear witness to the truth? and by whose power and spirit, but by the power and spirit of the Father; and what he did and wrought, *it was what God did by him.* And though that day was born, in the city of David, a Saviour, was he a Saviour distinct from either light within, spirit, or Godhead? what manner of Saviour was he then? This is sad doctrine, to exclude spirit, light within, and Godhead from being a Saviour; surely flesh and darkness is not the Saviour, but the holy thing (spoken of) which was of the Holy Ghost."

William Penn says, page 571 of the first volume of his works: "Before I conclude, take this notable saying of Christ to the Jews, and what may be collected from it to our purpose: 'Before Abraham was, I am—Abraham saw my day and rejoiced;'—which affords us briefly thus much: that though he was not so visibly come, yet it was the very same He that came above one thousand six hundred years ago, who was with the fathers of old, and that Abraham, who lived one thousand nine hundred years before that outward appearance, saw him, and his day. If this be not the import of the place, I know none; for the Jews, not believing him to be the Messiah, thought it high presumption for him to compare with Abraham. 'Art thou greater than our father Abraham, who is dead, and the prophets are dead? Whom makest thou thyself?' said that unbelieving people. Unto which he answered, (that he might prove himself to be the true Messiah, the Christ of God,) 'Abraham saw my day and rejoiced.' They, still harping upon that visible body, or outward man, not thirty-three years old, replied, 'Thou art not yet fifty, and hast thou seen Abraham?' taking that to be the Messiah, the Christ of God, and Saviour of

the world, he meant, *which they saw with their carnal eyes.* To which he rejoined, with a 'Verily, verily I say unto you, before Abraham was, I am. Then took they up stones to cast at him,' &c. By all which it is most clear, that unless our adversaries will deny him that so spoke to be Christ, who singled and distinguished himself, as the Messiah, the Christ of God, and Saviour of the world, from that visible body, not fifty years old indeed; both Christ that then spoke must needs have been long before Abraham's time, and that such holy ancients were not without a sight and prospect of him, and the day of his glorious appearance, or that most signal manifestation of himself in the body prepared for that great and holy purpose: witness the exceeding clear and heavenly prophecies in the Scriptures of truth, that were as so many forerunners, or introducers of the evangelical state.

"And this is unquestionably confirmed unto us, by that known and weighty expression of the apostle Paul to the Romans: 'Whose are the fathers, and of whom, as concerning the flesh, Christ came, who is over all, God blessed for ever, Amen.' Since here both Christ is distinguished from the body he took, and also made one with God, who is over all, blessed for ever, Amen. As much as to say, Of whose flesh Christ took, therefore Christ was before he took it; or his taking it did not only constitute him Christ, which Christ is God: And if God, (which cannot be said of mere flesh, or any corporal lineage,) then must he have been from all everlasting."

Again, pages 574, 575, "But I further confess, that his righteous life, with respect to its appearance in that holy body, was grieved by sin, and that the weight of the iniquity of the whole world, with the concernment of its eternal well-being, lay hard upon him, nor was his manhood insensible of it, under the load of this did he travail, he alone trod the wine-press; that is, all others were then insensible of that eternal wrath, which would be the portion of the impenitent persons, as well as that it was his great care, and deep travail, that the holy, yet oppressed seed, might arise over the pressures of iniquity in the hearts of men, to bruise the serpent's head in all. And as outwardly he gave his outward life for the world, so he might inwardly shed abroad in their souls the blood of God, that is, the holy purifying life and virtue, which is in him, as the Word-God, and as which, he is the light and life of the world.

"This was it which gave the manhood the understanding it had, and fitted it for so great an embassy; by whose power alone it fasted, prayed, preached, cast out devils, wrought miracles, lived that most unblemished life, patiently suffered death, was raised for a holy confirmation, maugre all the military opposition of the Jews: and this divine power it was which accompanied the ministry of his followers; rendering it efficacious to conviction and conversion. So that the invisible, spiritual, and divine life, principle or nature, was the root and fountain of all which is sometimes ascribed in Scripture to the body, by that common figure, or way of speaking amongst men, the thing containing, which was the body, for the thing contained, which was the eternal power, wisdom, life, &c. Not that we should irreverently rob the holy body of whatsoever acknowledgment is justly due, nor yet separate that which God hath joined: though I confess, with holy fear, I dare not attribute that to an *external prepared being,*

which is the natural, proper, and *only work* of the divine light and life to operate and effect. But certainly, if some men in Scripture are entitled saviours because of the contribution of their trials, travails, and labours towards the salvation of mankind, of much more right is that honour ascribable to him who had the spirit without measure: for I do freely acknowledge the holy manhood to have been, in some sense, a co-worker and partner with the divine life in those trials, weights, sufferings and travails for mankind. Yet as it was the divine power that gave them weight in that great work, so was it the divine life in him, which *made that holy manhood what it was;* and therefore ought we, chiefly, to appropriate the salvation to Christ, *as the Word-God*, and to the holy manhood, but secondarily and *instrumentally;* I mean, as it was a chosen instrument or vessel, in and by which God declared the blessed glad tidings of love, and his message of reconciliation to the world: in which he gave the most heavenly example of purity, and through whose whole life, doctrine and death, did shine forth the clearest evidences of truth, goodness, mercy, patience, deep travail for the world, self-denial, holiness, and *triumphant martyrdom.*"

In vol. 2, of William Penn's Works, pages 65 and 66, the following passages occur, in reply to one Jenner, viz: "He takes up a whole chapter in his endeavours to prove that we deny the Lord that bought us, though very falsely, and equally unsuccessful.

"Because we deny that person (the son of God) that died at Jerusalem to be our Redeemer.

"Which most horrid imputation has been answered more (I believe) than a thousand times, by declaring that he that laid down his life, and suffered his body to be crucified by the Jews, without the gates of Jerusalem, is Christ the only Son of the most high God: but that the outward person which suffered was properly the Son of God, we utterly deny, and it is a perfect contradiction to their own principles; 'A body hast thou prepared me,' said the Son; then the Son was not the body, though the body was the Son's. This brings him more under the charge of making him but a mere man than us, who acknowledge him to be one with the Father, and of a nature eternal and immortal; for he was glorified with the Father before the world was.

"But he says, 'That we deny Christ to be a distinct person, therefore we deny the Lord that bought us.'

"In answer to this I shall make these three offers. First. If he will but bring me one Scripture (for he calls it his guide and rule) that has directed him to such a phrase as distinct person, or that says, I and my Father are two, instead of, I and my Father are one. Secondly. If he will but bring me one piece of antiquity for the first two hundred years, that used any such expression. Thirdly. And if he can deny that the popish school-men, (through the assistance of the Aristotelian or infidel philosophy,) were not the grand fathers and promoters of such like monstrous terms, and uncouth phrases, I will be contented to take the shame upon me of denying proper, apt, and significant phrases. But till then I will tell him, that if the Son of God did purchase our salvation distinctly from the Father, the Father was not concerned in our salvation, but Christ only; and if he did so purchase it, as God the Son, (distinct from the Father,) then God the Son, (by his principles,) cannot be the same with God the

Father; and all the earth, with all their idle sophisms and metaphysical quiddities, shall never be able to withstand the conclusion to be, two Gods. Otherwise, if the purchase was by God the Son, then God the Father was concerned as well as God the Son, because *the same God;* if not, then either Christ's Godhead was not concerned in the purchase, *or there must be two Gods;* so that which he calls, a personality distinct from the essence, could not do it, and if the divine essence did it, then the Father and Spirit did it as well as the Son, because *the same individual eternal essence.* Oh the fond dotage and dark conceits of men about that blessed mystery! Let Jenner turn to the fifth chapter of John's first epistle, where he may find our faith at large in the point; and if he is not satisfied therewith, his refusal shall set the very letter of the Scriptures (his pretended rule) over his head, that he would suggest we deny."

Daniel Phillips, in his "Vindiciæ Veritatis," pages 93—96, writing in defence of the passage just read from Penn's Works, thus expresses himself: "It is obvious to all, that our friend grants, in the same period, that he that suffered his body to be crucified by the Jews, is the Son of God; yet in the subsequent lines, denies the outward person, outward man or body, which suffered death, to be properly the son of God. May it not be hence queried, How can we reconcile this W. P. with himself? To such, my answer is; the Son of God is to be considered in a twofold sense, viz. as he is the eternal Word, and as he is the seed of Abraham: as he is the divine *Logos*, he is properly, that is, by nature, the Son of God; but the flesh which he took of the virgin Mary, is improperly called the Son of God. To induce my reader to concur with me in this opinion, I shall first tell him what denominates any being properly, or by nature, the son or offspring of another, and what improperly gives him the like title. Secondly, leave some rules of criticism concerning any particular passage that may occur, seemingly not so orthodox, as in other places the author is, to his serious consideration.

"Properly, a son is the natural product or offspring of any being, whereby the essential properties of that being are preserved; as, the son of man, beast, or tree.

"Improperly, when that name is given to any *per accidens*, to signify a person's worthiness, or unworthiness; son of the stars, son of the morning; so *e contra*, son of Belial, son of perdition. By creation, by adoption, by wonderful union, a person may also be so called.

"1. Then he is properly the Son of God, that hath the essential properties of God; as, eternity, immortality, infinity, immensity, ubiquity, &c.

"But the outward person, or body of Christ, hath not the essential properties of God; as, eternity, immortality, &c.

"Therefore the outward person, or body of Christ, is not properly the Son of God.

"2. He is properly the Son of God, that is in every respect one with the Father:

"But the outward person, that suffered, &c. is not in every respect one with the Father:

"Therefore, the outward person is not properly the Son of God.

"3. He is properly the Son of God, that is of the same substance with the Father:

"But the outward person, that suffered death, is not of the same substance with the Father:

"Therefore, the outward person is not properly the Son of God.

"4. He is properly the Son of God, by whom God made the worlds.

"Who was manifest in the flesh.

"Who dwelt in us.

"Whom believers must have, if they have life.

"Whose voice they hear.

"Whose flesh and blood they eat and drink.

"Who is revealed within.

"Who is with his to the end of the world.

"Who filleth all in all.

"Who was before Abraham, abideth for ever, and by whom God speaks to us in these latter days.

"But this cannot be predicated of the outward person, or man, that suffered death, &c.

"*Ergo*, the outward person, or man, is not properly the Son of God.

"Whenever Christ speaks of his death, he calls himself the Son of man.

"The outward person, man, or body, which suffered death, &c. is improperly called the Son of God:

"1. Because of his wonderful conception.

"2. Because of his miraculous union with the divine Word.

"3. Because of his eminent gifts.

"4. Because of his miraculous works.

"5. By an Hebraism, denoting excellency; as, mountain of God, cedars of God, man of God.

"If my opponent, notwithstanding the force of these allegations, shall magisterially say, 'Whoever denies, that the outward person which suffered, was properly the Son of God, doth thereby actually deny Jesus Christ to be the Son of God:' let him not think, that his bare assertion, without a full invalidation of these arguments, will for the future be taken notice of by me."

Barclay, in his Works, page 462, thus replies to an objection: "But they allege, that Christ took the book of Isaiah, and read out of it, and spake therefrom: and that Peter preached from a sentence of the prophet Joel.

"I answer, that *Christ and Peter* did it not, but *as immediately acted and moved thereunto by the Spirit of God*, and that without premeditation."

In Edward Burrough's Works, page 27, it is said: "We say, *the saints have their growth up into a perfect man in Christ, as Christ himself had*, and we say also, there are children, and young men, and fathers, as the apostles said."

In a work of Thomas Zachary, entitled, "A Word to all those who have been convinced of the Truth," &c., and who is among the writers cited in Evans' Exposition, it is said, page 6: "Then after that I came to see the idolatry of all professors as to *the person Christ*, as to the body, flesh, and blood; and that the faith of most professors went no farther than the veil, the outward, and reached not to *Christ the Saviour*, the life, the arm, and power of God; not to Christ in spirit, but in flesh."

In William Shewen's Works, pages 123 and 124, it is said, "For the life, riches, and enjoyment of a Christian, are inward and hidden; his life is hid with Christ in God, none knoweth it but he that hath it; his conversation is with God in heaven, and his treasure is laid up where he walks and dwells, and where he sits in heavenly places with his saviour Christ Jesus, who is made unto him wisdom, righteousness, sanctification, and redemption. And not only so, but he is come to see what is 'the fellowship of the mystery, which from the beginning of the world hath been hid in God:' he is come to know 'the Lord one, and his name one,' to the 'one body, one spirit, one hope, one faith, one baptism,' one way, one truth, one life, 'one God and Father of all, who is above all, through all, and in all.' This is the blessed end of all the appearances, manifestations, and dispensations, under all the variety of names, and various workings of the one eternal God towards mankind ever since the fall, mentioned throughout the Holy Scriptures, and witnessed to by the true Christian, who really enjoys the end of Paul's bowing his knees, or prayer unto the Father of his Lord, his Jesus, and his Christ, of whom the whole family in heaven and earth is named. Ephes. iii."

In a marginal note, referring to the passage just cited, William Shewen observes: "Not *to Jesus the son of Abraham, David, and Mary*, saint, or angel, but *to God the Father*, all worship, honour, and glory is to be given through Jesus Christ," &c.

5. Primitive Friends denied the hypostatical union of the divine and human natures in Christ.

Thus, George Whitehead, in his "Christian Quaker," says, in pages 362–3, "But to the question, 'Whether I do not deny his human nature, and glorious hypostatical union?' I answer, 1. That if *hypostatical* signify *substantial*, from ὑποστάσις substance, I do confess and own that the Father, the Word, and Holy Spirit are one substance, or that the oneness of substance is applicable to all the three in Heaven; for they are not three substances. And that the Son of God is the brightness of his Father's glory, and the express character of his ὑποστάσεως substance, (Heb. i. 3) and that therefore the Father and the Son are one substance.

"2. But that either the Son of God doth consist, or is made up, of *human flesh and blood*, or that these and the *divine nature* are one substance, I deny, as contrary to the Son's being the brightness of his glory, and the express character, or image, of his substance. Heb. i. 3. For *human nature* and *divine* are not both one; though still the one hypostatis, or substance, is in all the three divine witnesses in Heaven, whose glorious hypostatical union we never denied. This is further opened in our books, viz. 'The Divinity of Christ,' &c. 'Serious Apology,' part 1, chap. 3. Howbeit, if we cannot own these to be Scriptural language, viz. 1. That Jesus Christ consists of human flesh and bone. 2. That the glorious hypostatical union *consists of a human and divine nature*, or that they are *hypostatically one*, he should bear with us, till he produce us plain Scripture for those positions and words."

Page 326, he says, "As for his terms 'human nature,' and 'glorious unity between the divine and human nature,' (p. 36,) he talks he knows not what, and *beside Scripture language*. The word human is not by the Scriptures applicable to Christ in glory, but originally relates to the earth,

and so to the body of man as coming thence. But *Jesus Christ was the Anointed, as he was the Son from the Father's substance*, (which he was before he came in the flesh, or took upon him that body that was prepared for him,) and *the Anointed and Saviour, by the divine power given him*, when in that body upon earth; though more highly exalted or anointed, as ascended far above all heavens, and exalted in the Father's glory. He is the Anointed and Saviour also, as revealed and formed in the saints; (Gal. iv. 19) the Anointed as set up from everlasting; the Anointed both in sufferings and in glory; the Anointed both *as he came in flesh*, and *as coming and revealed in the spirit in his people*. And his name by which life and salvation comes, and is given, is his *divine nature and power*, to which his name relates, that is above every other name."

And in his "Light and Life of Christ," pages 34–5, it is said, "We never denied the man Christ, nor that he took upon him flesh, or was born of the virgin according to the flesh, nor did we ever deny Christ to be the Saviour; but as for those expressions, 'God-man, being born of Mary,' we do not find them in the Scriptures, nor do we read that Mary was the mother of God, but in the pope's canons, articles, &c. Though William Burnet has pretended the Scripture to be his rule, as if he would be exact in squaring his work thereby; here his work is contrary to his rule. Again he says: 'Christ was seen with a carnal eye, and his voice heard with a carnal ear.' Pages 25, 28, 29. Whereas Christ said: 'he that seeth me, seeth my Father also:' now dare he say, that God is such a visible object as may be seen by a carnal eye? surely nothing is obvious to the carnal eye but that which is carnal or outward; but so is not the invisible. But indeed if the body that Christ took upon him in the virgin, and which was afterwards *crucified and put to death*, was *God*, (for he tells of God-man being born of the virgin,) then this would make God visible, and *to die*, when that body was put to death; which were no less than blasphemy; whereas *God was manifest in flesh*, Christ came *in* the flesh, (1 Tim. iii. 1 John iv.) and so *did bear the name Christ as he was in the flesh*."

And pages 40, 41, it is said, "Ephes. iv. 10. Now 'he that is ascended, is also the same that descended.' 'Now,' say they, (the Quakers,) 'if he that ascended be the same that descended, and he that descended be the Christ, then the body could not be the Christ, because that did not descend, but was taken in the womb of the virgin.'

"I add, if he means by 'body,' that which consists of flesh, blood, and bones, such a one was prepared for him, Heb. x. But that *He*, viz. Christ, did not consist of that which was mortal; neither did his flesh, which is the bread from above, see corruption."

Again, page 42: "But his telling, 'as he was very God-man, so the manhood suffered; and the act was ascribed to the Godhead.' This is confusion and contradiction to the former, that God did not suffer; but such kind of muddlement our opposer is willing to please himself with."

George Fox, Doctrinals, pages 1006, 1007, says:—"Now whereas the emperor of the Turks saith, 'That he is commander and guardian of the Christian's crucified God.' Now in this he is mistaken; for the eternal, incomprehensible, invisible, everlasting God, whose divinity extends throughout the whole earth, who is God in heaven above, and in the earth beneath, to whom all nations are but as the drop of a bucket; this is the

true Christian's God, whom they serve and worship in his spirit and truth, which the Jews did not crucify, nor could they crucify; and it is blasphemy for the Jews, or any to say, that they did crucify the true Christian's eternal invisible God; and great ignorance for any to say, that the true Christian's God was crucified, or that the eternal, incomprehensible, immortal God, the Creator of all, who is the God of the spirits of all flesh, and the breath of all mankind is in his power, so that poor mortals, or externals should say, think, or imagine, that the eternal, invisible, everlasting, immortal, incomprehensible God was, or can be crucified, which they cannot comprehend, which is the true Christian's God."

"Jesus of Nazareth, a man approved of God by miracles, wonders, and signs *which God did by him*, this *Jesus the son of Mary*, the Jews with their wicked hands did take, crucify, and slay; but it was God who loosed the pangs of death, because it was not possible that he should be holden of it; and though the Jews did crucify Jesus, and slew him, and hanged him on a tree, yet God hath raised him up the third day, and God hath exalted him at his right hand, to be a prince and a saviour, to give repentance, &c. and forgiveness of sins; so Christ's apostles were witnesses, how God raised him from the dead. So you may see here, *it was not God that was crucified and died*, for he raised Christ from the dead on the third day, and showed him openly to his apostles, and they did eat and drink with Jesus Christ after that God had raised him up from the dead."

William Penn, in his Works, vol. ii. p. 161, says: "But their most admirable secret of all is, that God descended with his body in the shape of a man, and dissolved himself into the virgin's womb, and so brought forth himself a man, who after he had lived to such an age, was crucified, and really died, or ceased to be either God or man for three days and nights. T. S. T. p. 23 to 30.

"That this is in three particulars highly inconsistent with Scripture, I prove,

"First, God did not so transmute his divine nature into fleshly mortal nature.

"1. 'Your father Abraham rejoiced to see my day: then said the Jews unto him, Thou art not yet fifty years old, and hast thou seen Abraham? Jesus said unto them, 'Verily, verily, I say unto you, before Abraham was, I am.' John viii. 56, 57, 58.

"If that which was before Abraham, and yet then in being the same, was God, as none that own the Scriptures do deny; then because that outward visible body was not before Abraham, that was not God. The first all grant, the second none reasonably doubt; for Christ was crucified about the three and thirtieth year of his life. And then I hope none will believe the eternal deity was transmuted, or transubstantiated into that visible body; for so Christ's answer would not have been true: for that mortal body, which, say Reeve and Muggleton, was the eternal God, had a beginning, and was of that age the Jews said it to be.

"2. 'Whose are the fathers, and of whom as concerning the flesh Christ came, who is over all, God blessed for ever.' Rom. ix. 5.

"If Christ, as concerning the flesh, was not God, as the text manifestly implieth, (by a distinction betwixt his appearance *in* that body of flesh, and his divine essence or being, with their originals,) then that fleshly body

was not God, or the eternal God *was not substantially transmuted into that fleshly body.*"

And page 163: "Therefore it was not the eternal deity that suffered death, but the body of outward flesh, subjected to all those natural passions of heat, cold, hunger, thirst, life, and death, (as ours are, sin only excepted,) which the eternal infinite Creator had provided, through which to manifest his everlasting wisdom, counsel, and mercy for the redemption of mankind.

"That these three branches of this sottish opinion are all of them greatly repugnant to that understanding God has afforded men to measure and distinguish things by, I prove:

"First, It was impossible for God to transubstantiate himself from an immortal deity to a mortal man.

"1. It must suppose God's begetting himself, which is absurd and impossible: since being begotten, supposeth him to have had a beginning, (that gave beginning to all;) and to beget, supposeth him to have been before he was begotten, and so before he was.

"2. Such as is the begetter, such must the begotten be. We see, men get men; horses, horses; fish, fish; and every seed hath its own body, as say Reeve and Muggleton: then, by good consequence, the immortal God must have begotten himself an immortal God, one that could not die by the hand or cruelty of his own creature.

"3. It is as impossible for God to become a creature, or to dissolve his own infinite, immortal, eternal nature into a finite, mortal, created or generated nature; as for a mortal created nature to be refined, preferred, and transmuted into an infinite, immortal, creating nature. In short, it is as impossible for God, as God, to become a dying man, as for a dying man to be changed into an immortal eternal God; they are reciprocally impossible and blasphemous."

6. They denied the doctrine of the trinity to be a *fundamental.*

Thus, Isaac Penington, in the first volume of his Works, pages 265, 266, says: "Now whereas they call this a fundamental, we do not find it so called in Scripture; nor do we find the disciples themselves understanding therein, but knew not the Father. John xiv. 8, 9. And Christ going about to inform them, does not tell them of another distinct being or person: but 'hast thou not seen me?' And 'believest thou not that I am in the Father, and the Father in me?' ver. 10. And so the believers at Ephesus had not so much as heard there was an Holy Ghost. Acts xix. 2. So that if ye will make this a fundamental truth, yet *it is such a fundamental as true faith did stand without,* both in believers before Christ's death, and in believers after. This is the great fundamental, 'that God is light, and in him is no darkness at all,' 1 John i. 5, and the great work of the ministry is to show men where this light is, and to turn men from the darkness, wherein is the power of Satan, unto this light, wherein is the power of God. Acts xxvi. 18. And he that comes into this light, and into this power, is owned in the light and in the power, *wherein is the life of all the saints,* and the *true fellowship both with the Father and the Son, and one with another.* John i. 3, 7. And the true trial of spirits is not by an assent to doctrines, (which the hypocrite may assent to on the one hand, and the true believer may startle at on the other hand,) but by feel-

ing of them in the inward virtue of the light, in the spirit, and in the power. This was the apostle's way of trial. 1 Cor. iv. 19, 20. 'I will know, not the speech of them which are puffed up, but the power; for the kingdom of God is not in word, but in power.' A man may speak high words concerning the kingdom, and get all the doctrines about it, and yet be a stranger to it, and quite ignorant of the power; and another may want divers doctrines concerning it, (perhaps some of those which men call fundamentals,) and yet be a citizen of it, and in the power. But now, under the antichristian apostacy, *men wanting the feeling of the life and power*, wherein the true judgment is, they *own or disown one another upon an assent or dissent to such and such doctrines*, and so fall into this great error of *disowning many whom Christ owns:* and if they find persons not assent to, or dissenting from, any of those things which they call fundamentals, then they think they may lawfully *excommunicate and persecute them.* So, by this mistake, they cut off that which is green; they persecute that wherein is the living sap, and cherish the dry and withered. That which is most tender towards God, and most growing in the inward sensibleness, (which causeth it to startle at that which others can easily swallow,) *lies most open to suffering by this kind of trial.*"

7. They believed that the atonement is a *real* work of divine power in the mind of man, being nothing other than the restoration of man to a state of favour and friendship with his Creator, by the removal of a rebellious disposition; or, in other words, by the breaking down of the partition wall of sin and transgression, which, and which only, has ever separated between man and his God. Hence, by resigning himself to the divine government, man experiences the at-one-ment, is reconciled or set *at one* with his God, without any other consideration than the *free love and mercy of God,* and *a fitness* on the part of man to receive the blessing. They believed that the great end and design of the mission of the blessed Jesus, was to bring about this state of reconciliation between "man offending and God offended." That all he did and suffered in the accomplishment of his mission was for the sake of mankind, (that they might forsake the evil of their ways and be happy,) and that it was a *declaration* or *manifestation* of the love and kindness of God, and of his disposition to save them. That in his sufferings and death he was an offering and a sacrifice well pleasing to God: that he died for, or on account of, the sins of the whole world. But not to make God merciful, or to induce him to save men, as being otherwise unwilling, except only *in so far* as his mission and testimony, and the confirmation of that testimony by his sufferings and death, should operate as an *instrumental* cause to change the minds of men, and bring about in them that state of obedience to which God is, and ever has been, propitious; and that in no other sense can it be said "that through his sufferings, death, and resurrection, he *atoned* for the sins of men." Thus, they believed that Christ was not the *cause*, but the *effect* of God's love, the gift and expression of it: that "God was in Christ reconciling the world unto himself." That, as regards the atonement, *repentance* and *reformation* are *antecedent*, not *consequential.* They accordingly discarded, most unhesitatingly and entirely, the doctrine of imputative righteousness, or that we are justified in the sight of God, "by the imputation of that righteousness of Christ long since performed *person-*

ally," (or in the person of Jesus,) otherwise than as we come to experience it in *our own persons*, by a like obedience to the manifested will of God; even as Jesus declared, "If ye keep my commandments, ye shall abide in my love, even as I have kept my Father's commandments and abide in his love."

They believed that, notwithstanding whatever may be attributed to the outward, (or to what Jesus did outwardly,) as "the remote procuring cause" of that penitent state of mind, in consideration of which God exercises his free love and mercy in forgiving past sins, that, strictly speaking, it is "God that worketh all in all;" that his power dispensed to man, is man's only Saviour and Redeemer, agreeably to his own positive declaration: "Beside me there is no Saviour." That this power, which is Christ, "the light which lighteth every man that cometh into the world," as it is "let into the heart, atones, mediates, and reinstates man" in purity and favour with his God. Thus, according to its various operations on the soul of man in effecting his redemption, it is spoken of under a variety of names, and as sustaining various offices. These names are mostly figures of speech derived from the outward world, and many of them from the peculiar customs and practices under the law of Moses, and some from circumstances in the life of the man Jesus. Thus it is called "the light," "the life," "the word," "the word of reconciliation," the "unction from the Holy One." And as, according to the phraseology of the law, "the blood was the life," and "without the shedding of blood (outward) there was no remission of sins," or offences against that law; and as the new covenant, or dispensation of Christ, comprehends, and is constituted of, the spiritual realities to which the legal figures pointed, so this divine power is called "the blood of Jesus," "the blood of Christ," "the blood of the new and everlasting covenant," "the blood of sprinkling," &c.; and thus it is said by the apostle, "If we walk in the light, as God is in the light, then have we fellowship one with another, and *the blood* of Jesus Christ, his Son, *cleanses* us from all sin."

George Whitehead, in his Nature of Christianity, pages 8 and 9, says: "And now, because those terms in Scripture, relating to Christ and his works, are misunderstood and perverted by many professors and priests, as this man hath done, I shall state them with the natural and simple sense thereof, as followeth, viz.

"*Jesus*, a Saviour, who saveth from sin, of whom it was said, 'Thou shalt call his name Jesus, for he shall save his people from their sins.' Matt. i. 21.

"*Christ*, is anointed; for he was anointed with power from on high.

"*Propitiation*, a sacrifice well pleasing, which is to *purge away sin*, and (in Scripture sense) to make nigh to God,* and which imports *forgiveness*, *reconciliation*, *favour*, *mercy*, *kindness*, &c. as *propitious* is *favourable*, *merciful*, &c.

"*Sacrifice*, an oblation or offering which is to consecrate or *make holy*.

"*Reconciliation*, an agreement, a peace-making between them that have been friends and afterwards foes, a setting at one.

"*Covenant*, an accord, agreement, a contract, a treaty, a condition, &c.

* Propitio ex pro et pio (non impio) propitius ex propé et ito.

"*Atonement*, peace, quietness, &c. between them that are reconciled, or in mutual friendship.

"*Redemption*, a ransoming, buying again, rescuing, or recovering such as were under bondage, or sold under slavery.

"*Salvation*, a saving, preserving, or making safe from the hand of the enemy, destroyer, or oppressor, &c.

"*Imputation*, an ascribing, attributing to, laying to the charge of, or an accounting, reckoning, or thinking.

"*Justification*, a making righteous, just, upright, virtuous, good, perfect, &c. And also, an adjudging, pronouncing, and sentencing one that is *made righteous*, to be so.

"Now if professors come not to feel and experience these things, or works of Christ, fulfilled within them, they are but mere empty professors and talkers of them, without the true life and power of Christianity and true religion."

And pages 6 and 7, he says: "Now though plenteous redemption, salvation, and peace, were in being in Christ for us, while enemies; and that God commended his love towards us, in that while we were sinners Christ died for us, ver. 8, which doth explain the intent of the words, 'if when we were enemies, we were reconciled to God by the death of his Son,' &c. yet it is not the nature of reconciliation, for men to be enemies to God. I appeal to the conscience of R. G. and all other professors, whether enmity and reconciliation do not differ? and whether, while persons are at enmity, they be actually reconciled? Though while we were enemies, we were reconciled, by the death of his Son, intentionally on God's terms, but not actually in ourselves till the enmity was slain in us; as God, with reference to this purpose, speaks to Abraham, 'I have made thee a father of many nations,' before he was actually so made, (for Paul, &c. Rom. iv. 17, and refers to the prophecy of Zacharias, Luke i. 67, 68.) Now though this 'redeemed' be spoken of as a thing done, yet it was spoken of in the prophecy of *Christ, the horn of salvation*, whose *salvation* is *deliverance and preservation* out of the hands of our enemies, that we may serve him," &c.

Again: "The words *purchased* and *redemption* are used by R. G. in an unscriptural sense, while he doth so nonsensically render it as "*God-man having purchased all of God without*,' and so *justified man*, when no good is wrought in him by the spirit of God; and *as if Christ's works without were the previous purchasing cause of the love of God;* and also states man's justification and redemption as only without, and *preceding the work of the spirit within.* Whereas, *redeeming from all iniquity and bondage*, under which man was sold, is not wrought without the operation of the spirit of God within, but it is a work to be fulfilled within, where sin and bondage have ruled. And being washed, sanctified, and justified by the spirit, are placed in their proper order, 1 Cor. vi. 11; *sanctified* being placed *before justified.*"

And again, pages 18, 19: "R. G. 'I say, that the works wrought for us by Christ in his crucified body, is the first mystery, the *foundation of all our mercies*, the ground of *the possibility of having any works wrought in us by the spirit of God*, tending to our being made like unto him.'

"Answer. The ground and cause of all our mercies is the infinite love of God, in which he sent his Son, whose works for us and example to us

were *effects and tokens* of the love of God to man, and *not the ground* and *purchasing cause thereof*, (nor as by way of payment and rigid satisfaction to vindictive justice, as *Presbyters* call it,) as if Christ were more kind to man, and his love more infinite than his Father's, which is blasphemous; like some of the popish friars that said, 'the Son was better than the Father.' And what better doth thy doctrine imply, than that the Son's works, wrought without us, are *the previous procuring, purchasing cause of the love of God to us while sinners*, p. 22. On this erroneous stuff depends much of thy book. Thou mightst as well say that God and his love had a beginning, or were inferior to the man Christ, as that Christ's works without were the previous (or foregoing) cause of God's love to us! How, then, is his love infinite in itself, and *free to us*, and *the cause of sending his Son?* John iii. 16. And darest thou say that God had not love to mankind before he sent his Son in the flesh? or that the love of God was not the previous cause of his so sending his Son, and of Christ's testimony and works in the days of his flesh?"

Whitehead, in his Light and Life of Christ, pages 48 and 49, says: "Baptist. 'The Galatians crucified to themselves Christ afresh, by looking back from Christ, to be justified by their own merits.' Gal. iii.

"Answer. They crucified Christ, by disobeying the truth, and turning from the Spirit, or Light within, wherein they once began well; wherefore it was said to them: 'Are ye so foolish, having begun in the spirit, are ye now made perfect in the flesh?" (Gal. iii. 1, 3.) So they that oppose the Light within, and deny the Spirit within to save, are but still in the flesh partaking of the same foolishness, and therefore there must be a travail known before Christ be formed in them. And whereas we are accused with 'denying that blood let out, to be any way meritorious to salvation.' Page 37. I ask, whether anything is of eternal merit and worth that is not everlasting? And where do the Scriptures use those expressions, and so much vary about the blood of Christ, as one while to say that 'the shedding that blood outwardly was the *meritorious cause* of salvation; another while the word 'shedding' to be left out, and the stress laid only upon that blood itself, which the soldier shed or let out of his side with a spear, which was after he was put to death. John xix. 33, 34. But then of what effect were the drops of blood that fell from him in his agony? Another while, *it is the body that was crucified, and not the spirit within that saveth;* for the Spirit, Light, and Word within is denied to be the Saviour, by this our adversary, who does not know how to state his own faith and principles, who in page 39, accuses us with 'gross mistake, mere fables, and vain titulations,' for saying, 'that the blood that sprinkles the conscience, cleanseth from sin, sanctifieth, &c. is the life, or is of the Spirit: and that it is the blood of the covenant,' &c.

"Answer. Here is no mistake nor fables proved against us, for the Spirit, the water, and the blood agree in one; and by walking in the light is the blood of Christ known to cleanse from all sin. Now the blood that sprinkles the conscience, cleanseth, &c. is as truly spiritual as the water is, which Christ giveth, and by which he washeth his church through the Word. For we are not to suppose two kinds of Saviours and sanctifiers; that is, both a natural, (which is not in being, as is said of the blood that was shed,) and the Spirit which still liveth. And though Christ, that he

might sanctify the people with his own blood, suffered without the gates, (Heb. xiii.) I hope it will not be *denied but this work of sanctification is wrought and fulfilled within by the Spirit*, and that *sprinkling and purging the conscience is inward;* and then, where the blood is said to do it, *that must needs be spiritual;* for surely the blood shed outwardly must needs have a spiritual signification, as well as the water and the cross had: and the apostle attributes washing or sanctifying, to water as well as blood.

"Again, it is confessed, page 35, 'that God by his own blood purchased to himself a church.' Acts xx. 28. Now the blood of God, or that blood that relates to God, must needs be spiritual, he being a spirit; and the covenant of God is inward and spiritual, and so is the blood of it."

Again, on page 34: "The Quakers see no need of directing men to the type for the antitype, viz. neither to the outward temple, nor yet to Jerusalem, either to Jesus Christ, or his blood; knowing that neither the righteousness of faith, nor the word of it, doth so direct. (Rom. x.) And is it the Baptists' doctrine to direct men to the material temple, and Jerusalem, the type for the antitype? what nonsense and darkness is this! and where do the Scriptures say, the blood was there shed for justification, and that men must be directed to Jerusalem to it? (whereas that blood shed is not in being, p. 40) but the true apostle directed them to the Light, (which is so much opposed by the Baptists,) to walk in the Light for the blood of Jesus Christ to cleanse them from all sin, (1 John i.) And he died for our sins, but rose again for our justification; which resurrection surely was *after the shedding of the blood outwardly.*"

Again, pages 41, 42: "Baptist. 'Which Word was God, yet he was not a Saviour as he was the Word or Creator of the world, any otherwise than he was held forth in the promise.'

"Reply. How then doth he say, 'I am God, a Saviour, besides me there is none other?' And what is he saving his people from, but from sin? and was not this God's real work throughout all the generations of the righteous? and did not God say, 'Surely they are my people, children that will not lie; and so was he their Saviour.' Isa. lxiii. 8. And did not God say, 'Look unto me all ye ends of the earth, and be ye saved, for I am God?' And was it not God that in Christ was reconciling the world, and that established them in Christ, and anointed them? 2 Cor. i. 21. ch. v. 19."

Again, pages 51, 52: "Baptist. 'All things under the law, in the type, were purged with blood, and this blood was material blood, and not mystical; and that blood that Christ shed in order to the effecting the salvation of man, must needs be visible and material blood.'

"Answer. Do but mark here what a sad consequence he has drawn; as if one should reason, that because the type was material, visible, and not mystical, therefore the antitype or substance must needs be material, and not mystical. By this, all mysteries or divine things are excluded from being either spiritual, antitype, or substance, whereas it was the heavenly things themselves that are in Christ, in which consists the substance and end of types and shadows. But to say that material blood was a type of that which was material, is to give the substance no pre-eminence above the type, (especially if neither of them be mystical, nor in being,) or like as if one should say, one type was a type of another; as to say, because

circumcision, which was a type, was material or outward, therefore the circumcision of the spirit, which is the antitype of it, must needs be outward too, and not mystical, which would be sad doctrine. And thus he might as well reason touching all other types and shadows under the law, and the heavenly or good things to come, prefigured or shadowed by them, that because the priests under the law, at the outward tabernacle and temple, were ministers of outward or temporal things, carnal ordinances, shadows, &c. therefore those good things to come, those heavenly things which Christ was said to be the high priest of, must needs be temporal, and not mystical, which were absurd to assert. Whereas, both the heavenly and more perfect tabernacle and altar, with the heavenly things, are all a mystery, and spiritual; the offering and living sacrifices are spiritual; the passover spiritual; the seed spiritual; the bread, the fruit of the vine, the oil, the flesh, and the blood, which give life to the soul, yea, the water and blood, which wash and sprinkle the conscience, are all spiritual and mysterious, as the new covenant itself is, which they belong to, and these things known in; and this is the new and living way which Christ set open, through the veil of his flesh. Heb. x. Let them receive this who can.

"And this may answer that question, Whether did God attribute the name of blood to spirit? Whereupon I may ask as well, if the name of water was never attributed to the spirit? See John vii. 38, 39. And whether the blood of God, and of the new covenant, be not spiritual? If not, how is it called his own blood? Acts xx. 28. And is not the new covenant spiritual, viz. the law written in the heart, and the spirit in the inward parts? If it be, surely the blood of it must be spiritual too."

William Penn, in the first volume of his Works, pages 573 and 574, gives his views on this subject, as follows: "Having considered the third part of this great objection, I am now come to what chiefly stumbles the people, with respect to the Light within, at least, as I apprehend, and that in this fourth and last particular, viz. 'But if the light in every man be Christ, how doth it bear our sins, and are our iniquities laid upon it? and how can we be said to be justified, redeemed, or saved by its blood, since all these things are spoken by the holy penmen of the man Christ, or Jesus born at Bethlehem? Surely you wholly invalidate his life, death, resurrection, ascension, and mediation, by this belief of yours in the light within.'

"This I take to be the very stress of the matter, collected out of the most forcible writings of our adversaries; to which I answer, and let him that reads understand.

"It must be considered, in this last part of the objection, how those questions can be applicable to the light, and yet be reconcilable with those Scriptures that seem to attribute all to his bodily sufferings. I hope to make appear, that as we exalt the first, so we dare not by any means to slight the last.

"The Light, or rather he that is light in man, for so I have always desired to be understood, (light being a metaphor, or a word taken from the outward day, and chiefly so termed, because of man's darkness, which is thereby discovered,) hath been according to Scripture, as a 'lamb slain since the foundation of the world.' That is, the world had not been long created, before man being envied by Lucifer, the fallen angel, was betrayed

of his innocency by him; and sin, by disobedience, prevailing, the light or principle of life, under whose holy leadings man was placed, became resisted, grieved, and as it were slain, (which word slain is also metaphorical.) That is to say, the innocent pure life was, as it were, wounded unto death, through disobedience; and that lamb-like image, in which Adam was created, by him through rebellion lost. Thus that holy principle, which God placed in the heart of Adam, in which was true light, life, and power, bore the sin, was pressed under it, as a cart under sheaves, grieved exceedingly, and as it were, quenched with iniquity.

"This hath been the condition of that precious and elect seed, spirit, light, life, truth, or whatever name, equivalent, any may please to give it, ever since that first rebellion, to this very day. And as in wicked men, God's holy light and spirit, or that principle which is so called, hath been deeply wounded, yea, as one slain, so in good men, that have had a sense of the world's abomination, hath it also borne many burdens and weights; for the light and life is one in all, though not treated alike in all. And those who have been reformed by it, and joined to it, have been as one spirit, and have not been without their share of the Lord's heavy sufferings, from the ungodly world; which was as well a filling up of Christ's sufferings that were before his outward coming, as what to this generation are yet behind to be completed.

"And as at any time disobedient men have hearkened to the still voice of the Word, that messenger of God in their hearts, to be affected and convinced by it, as it brings reproof for sin, which is but a fatherly chastisement; so upon true brokenness of soul and contrition of spirit, that very same principle and Word of life in man has *mediated and atoned*, and God has been propitious, lifting up the light of his countenance, and replenishing such humble penitents with divine consolations. So that still the same Christ, Word-God, who has lighted all men, is by sin grieved and burdened, and bears the iniquities of such as so sin and reject his benefits: but as any hear his knocks and let him into their hearts, he first wounds, and then heals; afterwards he atones, mediates, and reinstates man in the holy image he is fallen from by sin. Behold, this is the state of restitution! And this in some measure was witnessed by the holy patriarchs, prophets, and servants of God in old time, to whom Christ was substantially the same Saviour, and seed bruising the serpent's head, that he is now to us, what difference soever there may be in point of manifestation.

"But notwithstanding it was the same light and life with that which afterwards clothed itself with that outward body, which did in measure inwardly appear for the salvation of the souls of men, yet, as I have often said, never did that divine life so eminently show forth itself, as in that sanctified and prepared body: so that what he then suffered and did in that transcendent manifestation, may, by way of eminency, have the credit of the whole work unto itself that he ever did before, or might do afterwards for man's salvation. For doubtless the very same light, life, and power, which dwelt in that fleshly tabernacle, eminently was the convincer, condemner, saviour, and redeemer: yet not only as confined to that blessed body, but also as revealed in the hearts of men; as he was in Paul, who, not consulting with flesh and blood, against the Lord of glory, did willingly receive him in, to bind the strong man, spoil his goods, and cast him out, that he might reign whose right it was. And that the divine life, light, spirit, nature, or prin-

ciple, which resided in that body, was the efficient cause of salvation, observe the title that is given him, from the great work he was to do, namely, 'To save his people from their sins;' there is not one word of wrath, but consequentially. Now, since that sin is in the heart and conscience of mankind, *nothing but a divine light, spirit, or power, can reach and convey purity into those inward parts*, and consequently *that must be the Redeemer and Saviour from sin.* But indeed, those who have a mind to naturalize that strange figure into the language of the holy Truth, I mean, that to be saved, is only to be saved from wrath, and not from sin, whose assured wages is wrath, may have some interest, though no reason for their implacable enmity against an inherent holiness."

In his able treatise, "Sandy Foundation Shaken," already referred to, he discusses the subject at large, from page 255 to 264, viz.

"The vulgar doctrine of satisfaction, being dependent on the second person of the trinity, refuted from Scripture.—*Doctrine.* 'That man having transgressed the righteous law of God, and so exposed to the penalty of eternal wrath, it is altogether impossible for God to remit or forgive without a plenary satisfaction; and that there was no other way by which God could obtain satisfaction, or save men, than by inflicting the penalty of infinite wrath and vengeance on Jesus Christ the second person of the trinity, who for sins past, present, and to come, hath wholly borne and paid it, (whether for all, or but some,) to the offended infinite justice of His Father.'

Refutation. "1. 'And the Lord passed by before him, (Moses,) and proclaimed, The Lord, the Lord God, merciful and gracious, keeping mercy for thousands, forgiving iniquity, transgression, and sin.' From whence I shall draw this position, that since God has proclaimed himself a gracious, merciful, and forgiving God, it is not inconsistent with his nature to remit, without any other consideration than his own love: otherwise he could not justly come under the imputation of so many gracious attributes, with whom it is impossible to pardon, and necessary to exact the payment of the utmost farthing.

"2. 'For if ye turn again to the Lord, the Lord your God is gracious and merciful, and will not turn away his face from you.' Where how natural is it to observe that God's remission is grounded on their repentance; and not that it is impossible for God to pardon, without plenary satisfaction, since the possibility, nay, certainty of the contrary, viz. His grace and mercy, is the great motive or reason, of that loving invitation to return.

"3. 'They hardened their necks, and hearkened not to thy commandments; but thou art a God ready to pardon, gracious and merciful.' Can the honest-hearted reader conceive, that God should thus be mercifully qualified, whilst executing the rigour of the law transgressed, or not acquitting without the debt be paid him by another? I suppose not.

"4. 'Let the wicked forsake his way, and the unrighteous man his thoughts, and let him return unto the Lord, and he will have mercy upon him, and to our God, for he will abundantly pardon.' Come, let the unprejudiced judge, if this Scripture doctrine, is not very remote from saying his nature cannot forgive sin, therefore let Christ pay him full satisfaction, or he will certainly be avenged; which is the substance of that strange opinion.

"5. 'Behold the days come, saith the Lord, that I will make a new covenant with the house of Israel; I will put my law in their inward parts; I

will forgive their iniquity, and I will remember their sin no more.' Here is God's mere grace asserted, against the pretended necessity of a satisfaction to procure his remission; and this Paul acknowledgeth, to be the dispensation of the gospel, in his eighth chapter to the Hebrews. So that this new doctrine doth not only contradict the nature and design of the second covenant, but seems in short, to discharge God, both from his mercy and omnipotence.

"6. 'Who is a God like unto thee, that pardoneth iniquity, and passeth by the transgression of the remnant of his heritage? He retaineth not his anger for ever, because he delighteth in mercy.' Can there be a more express passage to clear, not only the possibility, but real inclinations in God to pardon sin, and not retain his anger for ever; since the prophet seems to challenge all other gods, to try their excellency by his God: herein describing the supremacy of his power, and superexcellency of his nature that 'he pardoneth iniquity, and retaineth not his anger for ever.' So that if the satisfactionists should ask the question, Who is a God like unto ours, that cannot pardon iniquity, nor pass by transgression, but retaineth his anger until somebody make him satisfaction? I answer, Many among the harsh and severe rulers of the nation; but as for my God, he is exalted above them all, upon the throne of his mercy, 'who pardoneth iniquity, and retaineth not his anger for ever, but will have compassion upon us.'

"7. 'And forgive us our debts, as we forgive our debtors.' Where nothing can be more obvious, than that which is forgiven, is not paid. And if it is our duty to forgive our debtors, without a satisfaction received, and that God is to forgive us, as we forgive them, then is a satisfaction totally excluded. Christ farther paraphrases upon that part of his prayer, ver. 14. 'For if ye forgive their trespasses, your heavenly Father will also forgive you.' Where he as well argues the equity of God's forgiving them, from their forgiving others, as he encourages them to forgive others, from the example of God's mercy, in forgiving them. Which is more amply expressed, chap. xviii. where the kingdom of heaven, (that consists in righteousness,) is represented by a king, 'who upon his debtor's petition, had compassion, and forgave him; but the same treating his fellow-servant without the least forbearance, the king condemned his unrighteousness, and delivered him over to the tormentors.' But how had this been a fault in the servant, if his king's mercy had not been proposed for his example? How most unworthy therefore is it of God, and blasphemous, may I justly term it, for any to dare to assert that forgiveness impossible to God, which is not only possible, but enjoined to men.

"8. 'For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish, but have everlasting life.' By which it appears, that God's love is not the effect of Christ's satisfaction, but Christ is the proper gift and effect of God's love.

"9. 'To him give all the prophets witness, that through his name, whosoever believeth in him, shall receive remission of sins.' So that remission came by believing his testimony, and obeying his precepts, and not by a strict satisfaction.

"10. 'If God be for us, who can be against us? He that spared not his own Son, but delivered him up for us all?' Which evidently declares it to be God's act of love, otherwise, if he must be paid, he should be at the charge of his own satisfaction, for he delivered up the Son.

"11. 'And all things are of God, who hath reconciled us to himself by Jesus Christ, and hath given to us the ministry of reconciliation, to wit, that God was in Christ, reconciling the world to himself, not imputing their trespasses unto them.' How undeniably apparent is it, that God is so far from standing off in high displeasure, and upon his own terms, contracting with his Son for a satisfaction, as being otherwise incapable to be reconciled, that he became himself the reconciler by Christ, and afterwards by the apostles, his ambassadors, to whom was committed, the ministry of reconciliation.

"12. 'In whom we have redemption through his blood, the forgiveness of sins, according to the riches of his grace.' Now what relation, satisfaction has to forgiveness of sins, or how any can construe grace, to be strict justice, the meanest understanding may determine.

"13. 'But the God of all grace, who hath called us unto his eternal glory, by Christ Jesus.' He does not say that God's justice, in consideration of Christ's satisfaction, acquitted us from sins past, present, and to come, and therefore hath called us to his eternal glory; but *from his grace.*

"14. 'In this was manifest the love of God towards us, because that God sent his only begotten Son, into the world, that we might live through him.' Which plainly attributes Christ in his doctrine, life, miracles, death, and sufferings, to God, as the gift and expression of his eternal love, for the salvation of men.

"1. In abolishing that other covenant, which consisted in external and shadowy ordinances, and that made none clean as concerning the conscience.

"2. In promulgating his message, of a most free and universal tender of life and salvation, unto all that believed and followed him, (the light,) in all his righteousness, the very end of his apperance being to destroy the works of the devil, and which every man only comes to experience, as he walks in a holy subjection, to that measure of light and grace, wherewith the fulness hath enlightened him.

"3. In seconding his doctrines with signs, miracles, and a most innocent self-denying life.

"4. In ratifying and confirming all (with great love and holy resignation) by the offering up of his body, to be crucified by wicked hands: who is now ascended far above all heavens, and is thereby become a most complete captain, and perfect example.

"So that I can by no means conclude, but openly declare, that the Scriptures of truth, are not only silent in reference to this doctrine of rigid satisfaction, but that it is altogether inconsistent with the dignity of God, and very repugnant to the conditions, nature, and tendency of that second covenant, concerning which their testimony is so clear.

"The absurdities that unavoidably follow the comparison of this doctrine, with the sense of Scripture.—1. That God is gracious to forgive, and yet it is impossible for him, unless the debt be fully satisfied.

"2. That the finite and impotent creature, is more capable of extending mercy and forgiveness, than the infinite and omnipotent Creator.

"3. 'That God so loved the world, he gave his only Son to save it;' and yet that God stood off in high displeasure, and Christ gave himself to God as a complete satisfaction to his offended justice. With many more such like gross consequences that might be drawn.

"Refuted from right reason. But if we should grant a Scripture-silence, as to the necessity of Christ's so satisfying his Father's justice; yet so manifest would be the contradictions, and so foul the repugnancies to right reason, that who had not veiled his understanding with the dark suggestions of unwarrantable tradition, or contracted his judgment to the implicit apprehensions of some overvalued acquaintance, might with great facility discriminate to a full resolution in this point: for admitting God to be a creditor, or he to whom the debt should be paid, and Christ, he that satisfies or pays it on the behalf of man, the debtor, this question will arise, whether he paid that debt, as God, or man, or both (to use their own terms.)

"Not as God.—1. In that it divides the unity of the Godhead, by two distinct acts, of being offended, and not offended; of condemning justice and redeeming mercy; of requiring satisfaction, and then making of it.

"2. Because if Christ pays the debt as God, then the Father and the Spirit being God, they also pay the debt.

"3. Since God is to be satisfied, and that Christ is God, he consequently is to be satisfied; and who shall satisfy his infinite justice?

"4. But if Christ has satisfied God the Father, Christ being also God, it will follow then that he has satisfied himself, (which cannot be.)

"5. But since the Father was once to be satisfied, and that it is impossible he should do it himself, nor yet the Son or Spirit, because the same God; it naturally follows that the debt remains unpaid, and these satisfactionists thus far are still at a loss.

"Not as man.—6. The justice offended being infinite, his satisfaction ought to bear a proportion therewith, which Jesus Christ, as man, could never pay, he being finite, and from a finite cause, could not proceed an infinite effect; for so man may be said to bring forth God, since nothing below the divinity itself, can rightly be styled infinite.

"Not as God and man.—7. For where two mediums or middle propositions, are singly inconsistent with the nature of the end, for which they were at first propounded, their conjunction does rather augment, than lessen the difficulty of its accomplishment; and this I am persuaded must be obvious to every unbiassed understanding.

"But admitting one of these three mediums possible for the payment of an infinite debt; yet, pray observe the most unworthy, and ridiculous consequences, that unavoidably will attend the impossibility of God's pardoning sinners without a satisfaction.

"Consequences irreligious and irrational.—1. That it is unlawful and impossible for God Almighty to be gracious and merciful, or to pardon transgressors; than which, what is more unworthy of God.

"2. That God was inevitably compelled to this way of saving men; the highest affront to his uncontrollable nature.

"3. That it was unworthy of God to pardon, but not to inflict punishment on the innocent, or require a satisfaction where there was nothing due.

"4. It doth not only disacknowledge the true virtue and real intent of Christ's life and death, but entirely deprives God of that praise which is owing to his greatest love and goodness.

"5. It represents the Son more kind and compassionate than the Father; whereas if both be the same God, then either the Father is as loving as the Son, or the Son as angry as the Father.

"6. It robs God of the gift of his Son for our redemption, (which the

Scriptures attribute to the unmerited love he had for the world,) in affirming the Son purchased that redemption from the Father, by the gift of himself to God, as our complete satisfaction.

"7. Since Christ could not pay what was not his own, it follows that in the payment of his own, the case still remains equally grievous; since the debt is not hereby absolved or forgiven, but transferred only; and by consequence we are no better provided for salvation than before, owing that now to the Son, which was once owing to the Father.

"8. It no way renders man beholding, or in the least obliged to God, since by their doctrine he would not have abated us, nor did he Christ the last farthing, so that the acknowledgments are peculiarly the Son's; which destroys the whole current of Scripture-testimony, for his good-will towards men.—Oh the infamous portraiture this doctrine draws, of the infinite goodness. Is this your retribution, O injurious satisfactionists?

"9. That God's justice is satisfied for sins past, present, and to come, whereby God and Christ have lost both their power of enjoining godliness, and prerogative of punishing disobedience; for what is once paid, is not revokeable; and if punishment should arrest any for their debts, it either argues a breach on God, or Christ's part, or else that it has been sufficiently solved, and the penalty completely sustained by another; forgetting, 'That every one must appear before the judgment-seat of Christ, to receive according to the things done in the body: yea, every one must give an account of himself to God.' But many more are the gross absurdities and blasphemies that are the genuine fruits of this so confidently believed doctrine of satisfaction.

"A Caution.—Let me advise, nay warn thee, reader, by no means to admit an entertainment of this principle, by whomsoever recommended; since it does not only divest the glorious God of its sovereign power, both to pardon and punish, but as certainly insinuates a licentiousness, at least a liberty that unbecomes the nature of that ancient gospel once preached among the primitive saints, and that from an apprehension of a satisfaction once paid for all. Wheraes I must tell thee, that unless thou seriously repent, and no more grieve God's holy Spirit, placed in thy inmost parts, but art thereby taught to deny all ungodliness, and led into all righteousness; at the tribunal of the Great Judge, thy plea shall prove invalid, and thou receive thy reward without respect to any other thing than the deeds done in the body. Be not deceived, God will not be mocked; such as thou sowest, such shalt thou reap, which leads me to the consideration of my third head, viz. Justification by an imputative righteousness.

"The justification of impure persons, by an imputative righteousness, refuted from Scripture.—*Doctrine.* 'That there is no other way for sinners to be justified in the sight of God, than by the imputation of that righteousness of Christ, long since performed *personally;* and that sanctification is *consequential*, not *antecedent.*'

"*Refutation.* 1. 'Keep thee far from a false matter; and the innocent and righteous slay thou not; for I will not justify the wicked.' Whereon I ground this argument, that since God has prescribed an inoffensive life, as that which can only give acceptance with him, and on the contrary hath determined never to justify the wicked, then will it necessarily follow, that unless this so much believed imputative righteousness, had that effectual influence, as to regenerate and redeem the soul from sin, on which the

malediction lies, he is as far to seek for justification as before; for whilst a person is really guilty of a false matter, I positively assert from the authority and force of this Scripture, he cannot be in a state of justification; and as God will not justify the wicked, so by the acknowledged reason of contraries, the just he will never condemn, but they, and they only, are the justified of God.

"2. 'He that justifieth the wicked, and he that condemneth the just, even they are both an abomination to the Lord.' It would very opportunely be observed, that if it is so great an abomination in men to justify the wicked, and condemn the just, how much greater would it be in God, which this doctrine of imputative righteousness necessarily does imply, that so far disengages God from the person justified, as that his guilt shall not condemn him, nor his innocency justify him? But will not the abomination appear greatest of all, when God shall be found condemning of the just, on purpose to justify the wicked, and that he is thereto compelled, or else no salvation, which is the tendency of their doctrine, who imagine the righteous and merciful God, to condemn and punish his innocent Son, that he having satisfied for our sins, we might be justified (whilst unsanctified) by the imputation of his perfect righteousness. Oh! why should this horrible thing be contended for by Christians?

"3. 'The son shall not bear the iniquity of his father; the righteousness of the righteous shall be upon him, and the wickedness of the wicked shall be upon him. When a righteous man turneth away from his righteousness, for his iniquity that he hath done shall he die.' Again, 'When the wicked man turneth away from his wickedness, and doth that which is lawful and right, he shall save his soul alive; yet saith the house of Israel, The ways of the Lord are not equal. Are not my ways equal? If this was once equal it is so still, for God is unchangeable; and therefore I shall draw this argument, that the condemnation or justification of persons, *is not from the imputation of another's righteousness*, but the actual performance and keeping of God's righteous statutes or commandments, otherwise God should forget to be equal. Therefore how wickedly unequal are those, who not from Scripture evidences, but their own dark conjectures and interpretations of obscure passages, would frame a doctrine so manifestly inconsistent with God's most pure and equal nature; making him to condemn the righteous to death, and justify the wicked to life, from the imputation of another's righteousness:—A most unequal way indeed.

"4. 'Not every one that saith unto me Lord, Lord, shall enter into the kingdom of heaven, but he that doth the will of my Father. Whosoever heareth these sayings of mine, and doth them, I will liken unto a wise man which built his house upon a rock,' &c. How very fruitful are the Scriptures of truth, in testimonies against this absurd and dangerous doctrine. These words seem to import a twofold righteousness; the first consists in sacrifice, the last in obedience; the one makes a talking, the other a doing Christian. I in short argue thus: If none can enter into the kingdom of heaven, but they that do the Father's will, then none are justified, but they who do the Father's will, because none can enter into the kingdom, but such as are justified. Since therefore there can be no admittance had, without performing that righteous will, and doing those holy and perfect sayings. Alas! to what value will an imputative righteousness amount, when a poor soul shall awake polluted in his sin, by the hasty calls of death, to make its appear-

ance before the judgment-seat, where it is impossible to justify the wicked, or that any should escape uncondemned, but such as do the will of God.

"5. 'If ye keep my commandments, ye shall abide in my love, even as I have kept my Father's commandments, and abide in his love.' From whence this argument doth naturally arise: If none are truly justified that abide not in Christ's love, and that none abide in his love, who keep not his commandments, then consequently none are justified but such as keep his commandments. Besides, here is the most palpable opposition to an imputative righteousness that may be; for Christ is so far from telling them of such a way of being justified, as that he informs them *the reason why he abode in his Father's love, was his obedience;* and is so far from telling them of their being justified, whilst not abiding in his love, by virtue of his obedience imputed unto them, that *unless they keep his commands*, and *obey for themselves*, they shall be so remote from an acceptance, as wholly to be cast out; in all which Christ is our example.

"6. 'Ye are my friends, if ye do whatsoever I command you.' We have almost here the very words, but altogether the same matter; which affords us thus much: without being Christ's friends, there is no being justified, but unless we keep his commandments, it is impossible we should be his friends, it therefore necessarily follows, that except we keep his commandments, there is no being justified. Or, in short thus: if the way to be a friend, is to keep the commandments, then the way to be justified is to keep the commandments, because none can obtain the quality of a friend, and remain unjustified, or be truly justified, whilst an enemy, which he certainly is, that keeps not the commandments.

"7. 'For not the hearers of the law are just before God, but the doers of the law shall be justified.' From whence, how unanswerably may I observe, unless we become doers of that law, which Christ came not to destroy, but, as our example, to fulfil, we can never be justified before God; wherefore obedience is so absolutely necessary, that short of it there can be no acceptance. Nor let any fancy that Christ hath so fulfilled it for them, as to exclude their obedience from being requisite to their acceptance, but as their pattern: 'For unless ye follow me, saith Christ, ye cannot be my disciples.' And it is not only repugnant to reason, but in this place particularly refuted; for if Christ had fulfilled it on our behalf, and we not enabled to follow his example, there would not be doers, but one doer only of the law justified before God. In short, if without obedience to the righteous law none can be justified, then all our hearing of the law, with but the mere imputation of another's righteousness, whilst we are actually breakers of it, is excluded, as not justifying before God. 'If you fulfil the royal law, ye do well; so speak ye, and so do ye, as they that shall be judged thereby.

"8. 'If ye live after the flesh, ye shall die; but if ye through the Spirit do mortify the deeds of the body, ye shall live.' No man can be dead, and justified before God, for so he may be justified that lives after the flesh; therefore they only can be justified that are alive. From whence this follows, if the living are justified and not the dead, and that none can live to God, but such as have mortified the deeds of the body through the Spirit, then none can be justified but they who have mortified the deeds of the body through the Spirit. So that *justification does not go before*, but is

subsequential to the mortification of lusts, and sanctification of the soul, through the Spirit's operation.

"9. 'For as many as are led by the Spirit of God, are the sons of God.' How clearly will it appear to any but a cavilling and tenacious spirit, that man can be no farther justified, than as he becomes obedient to the Spirit's leading; for if none can be a son of God, but he that is led by the Spirit of God, then none can be justified without being led by the Spirit of God, because none can be justified but he that is a son of God. So that the way to justification and sonship, is through obedience to the Spirit's leadings, that is, manifesting the holy fruits thereof by an innocent life and conversation.

"10. 'But let every man prove his own work, and then shall he have rejoicing in himself alone, and not in another. Be not deceived, for whatsoever a man soweth, that shall he reap.' If rejoicing and acceptance with God, on the contrary, are to be reaped from the work that a man soweth, either to the flesh or to the Spirit, then is the doctrine of acceptance, and ground of rejoicing, from the works of another, utterly excluded, every man reaping according to what he hath sown, and bearing his own burden.

"11. 'Was not Abraham our father justified by works, when he had offered Isaac his son upon the altar? Ye see then how that by works a man is justified, and not by faith only.' He that will seriously peruse this chapter, shall doubtless find some, to whom this epistle was wrote, of the same spirit with the satisfactionists and imputarians of our time, they *fain would have found out a justification from faith in the imputation of another's righteousness;* but James, an apostle of the Most High God, who experimentally knew what true faith and justification meant, gave them to understand from Abraham's self-denying example, that unless their faith, *in the purity and power of God's grace*, had that effectual operation to subdue every beloved lust, wean from every Delilah, and entirely to resign and sacrifice Isaac himself, their faith was a fable, or as a body without a spirit; and *as righteousness therefore in one person cannot justify another from unrighteousness*, so whoever now pretend to be justified by faith, whilst not led and guided by the Spirit into all the ways of truth, and works of righteousness, *their faith they will find at last a fiction.*

"12. 'Little children, let no man deceive you, he that doth righteousness, is righteous, as God is righteous, (but) he that committeth sin is of the devil,' From whence it may be very clearly argued, that none can be in a state of justification, from the righteousness performed by another imputed unto them, but as they are actually redeemed from the commission of sin: for, if he that committeth sin is of the devil, then cannot any be justified completely before God, who is so incompletely redeemed, as yet to be under the captivity of lust, since then the devil's seed, or offspring may be justified; but that is impossible. It therefore follows, that as he who doth righteousness, is righteous, as God is righteous; so no farther is he like God, or justifiable; for in whatsoever he derogates from the works of that faith which he held in a pure conscience, he is no longer righteous or justified, but under condemnation, as a transgressor, or disobedient person to the righteous commandment. And if any would obtain the true state of justification, let them circumspectly observe the holy guidings and instructions of that unction, to which the apostle recommended the ancient churches;

that thereby they may be led out of all ungodliness into truth and holiness; so shall they find acceptance with the Lord, who has determined never to justify the wicked.

"Refuted from right reason.—1. Because it is impossible for God to justify that which is both opposite and destructive to the purity of his own nature, as this doctrine necessarily obliges him to do, in accepting the wicked, as not such, from the imputation of another's righteousness.

"2. Since man was justified before God whilst in his native innocence, and never condemned till he had erred from that pure state; he never can be justified, whilst in the frequent commission of that for which the condemnation came; therefore to be justified, his redemption must be as entire as his fall.

"3. *Because sin came not by imputation*, but *actual transgression;* for God did not condemn his creature for what he did not, but what he did; therefore must the righteousness be *as personal for acceptance*, otherwise these two things will necessarily follow: First, That he may be actually a sinner, and yet not under the curse. Secondly, That the power of the first Adam to death, was more prevalent than the power of the second Adam unto life.

"4. It is therefore contrary to sound reason, that if actual sinning brought death and condemnation, anything besides actual obedience unto righteousness, should bring life and justification; for death and life, condemnation and justification, being vastly opposite, no man can be actually dead and imputatively alive. Therefore, this doctrine so much contended for, carries this gross absurdity with it, that a man may be actually sinful, yet imputatively righteous; actually judged and condemned, yet imputatively justified and glorified. In short, he may be actually damned, and yet imputatively saved; otherwise it must be acknowledged, that obedience to justification ought to be as personally extensive, as was disobedience to condemnation: in which real, not imputative sense, those various terms of sanctification, righteousness, resurrection, life, redemption, justification, &c. are most infallibly to be understood.

"5. Nor are those words, impute, imputed, imputeth, imputing, used in Scripture by way of opposition to that which is actual and inherent, as the assertors of an imputative righteousness do by their doctrine plainly intimate; but so much the contrary, as that they are never mentioned, but to express men really and personally to be that which is imputed to them, whether as guilty, as remitted, or as righteous. For instance: 'What man soever of the house of Israel, killeth an ox, and bringeth it not to the door of the tabernacle, to offer unto the Lord, blood shall be imputed unto that man,' or charged upon him as guilty thereof. 'And Shimei said unto the king, Let not my lord impute iniquity unto me, for thy servant doth know that I have sinned.'

"6. 'But sin is not imputed where there is no law.' From whence it is apparent that there could be no imputation, or charging of guilt upon any, but such as really were guilty. Next, it is used about remission: 'Blessed is the man unto whom the Lord imputeth not iniquity;' or, as the foregoing words have it, 'whose transgression is forgiven.' Where the non-imputation doth not argue a non-reality of sin, but the reality of God's pardon; for otherwise there would be nothing to forgive, nor yet a real pardon, but only imputative, which according to the sense of this doctrine, I call imaginary.

Again, 'God was in Christ reconciling the world unto himself, not imputing their trespasses unto them.' Where also non-imputation, being a real discharge for actual trespasses, argues an imputation, by the reason of contraries, to be a real charging of actual guilt. Lastly, it is used in relation to righteousness: 'Was not Abraham justified by works when he offered Isaac?' 'And by works was faith made perfect, and the Scripture was fulfilled, which saith, Abraham believed God, and it was imputed unto him for righteousness.' By which we must not conceive, as do the dark imputarians of this age, that Abraham's offering personally was not a justifying righteousness, but that God was pleased to account it so; since God never accounts a thing that which it is not; *nor was there any imputation of another's righteousness to Abraham*, but on the contrary, his *personal obedience was the ground of that just imputation;* and therefore that any should be justified from the imputation of another's righteousness, not inherent, or actually possessed by them, is both ridiculous and dangerous.—Ridiculous, since it is to say a man is rich to the value of a thousand pounds, whilst he is not really or personally worth a groat, from the imputation of another who has it all in his possession. Dangerous, because it begets a confident persuasion in many people of their being justified, whilst in captivity to those lusts, whose reward is condemnation; whence came that usual saying amongst many professors of religion, 'That God looks not on them as they are in themselves, but as they are in Christ;' not considering that none can be in Christ, who are not new creatures, which those cannot be reputed, who have not disrobed themselves of their old garments, but are still immantled with the corruptions of the old man.

"Consequences irreligious and irrational.—1. It makes God guilty of what the Scriptures say is an abomination, to wit, that he justifieth the wicked.

"2. It makes him look upon persons as they are not, or with respect, which is unworthy of his most equal nature.

"3. He is hereby at peace with the wicked, (if justified whilst sinners,) who said, 'There is no peace to the wicked.'

"4. It does not only imply communion with them here, in an imperfect state, but so to all eternity, 'For whom he justified, them he also glorified.' Therefore whom he justified, whilst sinners, them he also glorified, whilst sinners.

"5. It only secures from the wages, not the dominion of sin, whereby something that is sinful comes to be justified, and that which defileth, to enter God's kingdom.

"6. It renders a man justified and condemned, dead and alive, redeemed and not redeemed at the same time, the one by an imputative righteousness, the other a personal unrighteousness.

"7. It flatters men, whilst subject to the world's lusts, with a state of justification, and thereby invalidates *the very end of Christ's appearance*, which was *to destroy the works of the devil*, and take away the sins of the world; a quite contrary purpose than what the satisfactionists and imputarians of our times have imagined, viz. to satisfy for their sins, and, by his imputed righteousness, to represent them holy in him, whilst unholy in themselves. Therefore, since it was to take away sin, and destroy the devil's works, which were not in himself, for that Holy One saw no corruption, consequently in mankind; what can therefore be concluded more evi-

dently true, than that such in whom sin is not taken away, and the devil's works undestroyed, are strangers (notwithstanding their conceits) to the very end and purpose of Christ's manifestation.

"Conclusion, by way of caution.—Thus, reader, have I led thee through those three so generally applauded doctrines, whose confutation I hope, though thou hast run, thou hast read; and now I call the righteous God of Heaven to bear me record, that I have herein sought nothing below the defence of *his unity*, *mercy*, and *purity*, against the rude and impetuous assaults of tradition, press, and pulpit, from whence I daily hear, what rationally induceth me to believe, a conspiracy is held by counter plots, to obstruct the exaltation of truth, and *to betray evangelical doctrines*, to *idle traditions:* but God will rebuke the winds, and destruction shall attend the enemies of his anointed. Mistake me not, we never have disowned a Father, Word, and Spirit, *which are one*, but *men's inventions*. For, 1. Their trinity *has not so much as a foundation in the Scriptures*. 2. Its original was three hundred years after Christianity was in the world. 3. It having cost much blood; in the council of Sirmium, Anno 355, it was decreed, 'that thenceforth the controversy should not be remembered, because the Scriptures of God made no mention thereof.' Why then should it be mentioned now, with a maranatha on all that will not bow to this abstruse opinion. 4. And it doubtless hath occasioned idolatry, witness the popish images of Father, Son, and Holy Ghost. 5. It scandalizeth Turks, Jews, and Infidels, and palpably obstructs their reception of the Christian doctrine. Nor is there more to be said on the behalf of the other two; for I can boldly challenge any person to give me one Scripture phrase which does approach the doctrine of satisfaction, (much less the name,) considering to what degree it is stretched. Not that we do deny, but really confess, that Jesus Christ, in life, doctrine, and death, fulfilled his Father's will, and offered up a most satisfactory sacrifice, but not to pay God, or help him (as otherwise being unable) to save men. And for a justification by an imputative righteousness, whilst not real, it is merely an imagination, not a reality, and therefore rejected; otherwise confessed and known to be justifying before God, because there is no abiding in Christ's love without keeping his commandments. I therefore caution thee in love, of whatsoever tribe, or family of religion thou mayst be, not longer to deceive thyself, by the over-fond embraces of human apprehensions for divine mysteries; but rather be informed that God hath bestowed a measure of his grace on thee and me, to show us what is good, that we may obey and do it; which if thou diligently wilt observe, thou shalt be led out of all unrighteousness, and in thy obedience, shalt thou receive power to become a Son of God; in which happy estate God only can be known by men, and they know themselves to be justified before him, whom experimentally to know, by Jesus Christ, is life eternal.'

And pages 530–1, he further gives his views in reference to it: "Thus the beloved disciple testifies very emphatically, in his First Epistle, where he gives us a relation of the apostolical mission: 'This, then, is the message which we have heard of him, and declare unto you, that God is light, and in him is no darkness at all; if we say, we have fellowship with him, and walk in darkness, we lie, and do not the truth; but if we walk in the

light, as he is in the light, we have fellowship one with another, and the blood of Jesus Christ, his Son, cleanseth us from all sin.'

"Here is a brief stating of the whole great case of salvation. 1. What God is; light. 2. Who they are that can have no fellowship with him; such as walk in darkness, that is, sin. 3. Who they are that have fellowship with him; such as walk in the light, as he is in the light. 4. The reason why, is given; because such as walk in the light, are therein sure to feel the virtue of Christ's blood, to cleanse them from all unrighteousness. Where observe, *that the light's leading us out of darkness, that is, unrighteousness, is the same thing with the blood of Jesus Christ cleansing from all sin.* Sin and darkness, and to be cleansed from the one, and to be translated from the other, is in the text equivalent: otherwise, a man might be delivered from darkness, and walk in the light, and not be cleansed from sin, which is that darkness; a thing absurd and impossible. In short, they go together.

"By this it is evident, that the light being walked in, doth directly lead to God, and fellowship with him, who is the saving light and health of all nations, and consequently, that the light leads to salvation; for that is salvation.

"Many are the denominations that are given in Scripture to one and the same thing. Christ is called the Word, the Light, the Way, the Truth, the Life, the Quickening Spirit, the Saving Health, the Saviour, Emmanuel, a Rock, a Door, a Vine, a Shepherd, &c. A state of sin is sometimes called darkness, death, disobedience, barrenness, rebellion, stiff-neckedness, eating of sour grapes. And wicked men, briers, thorns, thistles, tares, dead trees, wolves, goats, &c. On the contrary, a state of conversion is sometimes expressed by such words as purged, refined, washed, cleansed, sanctified, justified, led by the spirit, baptized by one spirit into one body, made circumcision without hands; regenerated, redeemed, saved, *bought with a price*, &c. And persons so qualified, the children of God, children of light, children of the kingdom, heirs of glory, lambs, sheep, wheat, &c. And that by which they became or continued thus, light, spirit, grace, word, fire, sword, hammer, power, seed, truth, way, life, blood, water, bread, unction, that leadeth into all truth. All which, respectively, is but one and the same in nature, notwithstanding the great variety of epithets, or names given in the Scripture."

Again, page 571: "To conclude. As Abraham, outward and natural, was the great father of the Jews, outward and natural, whose seed God promised to bless with earthly blessings, as Canaan, &c. and that they were figurative of the one seed Christ, and such as he should beget unto a lively hope, through the power of his spiritual resurrection, it will consequently follow, that this seed must be inward and spiritual; since *one outward thing cannot be the proper figure or representation of another.* Nor is it the way of holy Scripture, so to teach us; the outward lamb shows forth the inward lamb; the Jew outward, the Jew inward. As God attended the one with many singular outward mercies (to say no more) above other nations, so doth he benefit the Jew in spirit, above all other people."

Again, page 166: "In short, I say, both as to this and the other point of justification, that Jesus Christ was a sacrifice for sin, that he was set forth

to be a propitiation for the sins of the whole world, to declare *God's* righteousness for the remission of sins that are past, &c. to all that repented and had faith in his Son. Therein the love of God appeared, that he *declared his good-will thereby to the reconciled*, Christ bearing away the sins that are past, as the scape-goat did of old, not excluding inward work, for till that is begun, none can be benefited; though it is not the work, but *God's free love that remits and blots out*, of which the death of Christ and his sacrificing of himself was a most certain *declaration and confirmation.* In short, that *declared remission*, to all who *believe and obey*, for the sins that are past, which is the first part of Christ's work, (as it is a king's to pardon a traitor before he advanceth him,) and hitherto the acquittance imputes a righteousness, (inasmuch as men, *on true repentance*, are reputed as clean of guilt as if they had never sinned,) and thus far justified. But the completing of this by the working out of sin inherent, must be by the power and spirit of Christ in the heart, destroying the old man and his deeds, and bringing in the new and everlasting righteousness. So that which I writ against, is such doctrine as extended Christ's death and obedience, not to the first, but this second part of justification; not the pacifying conscience as to past sin, but to complete salvation without cleansing and purging from all filthiness of flesh and spirit, by the internal operation of his holy power and spirit. Concerning these two points, I refer thee to two books written not long since by me, called 'Quakerism, a New Nickname for Old Christianity,' and 'Reason against Railing,' in which these points are fully discussed; as also the 'Divinity of Christ,' written by G. Whitehead."

Isaac Penington, first volume of his Works, page 609, speaks thus:

"Quest. 1. What is reconciliation?

"Answ. It is a bringing together the minds and hearts of God and man into one.

"Quest. 2. How is this wrought?

"Answ. By taking away the enmity of man's nature, which is therein against God, and by planting him into, and causing him to grow up in, that nature and life which God loveth, whereby that is removed from man which God hateth, and which is the cause of separation; and man brought into, and brought up in that, which is the love and delight of God's heart.

"Quest. 3. By what is this reconciliation wrought?

"Answ. *By the word of God's power.* That comes forth from the love of God unto man; and man being gathered out of himself into that, the evil seed is thereby destroyed, and the good seed of the kingdom thereby cherished, and groweth up in its shadow and nourishment.

"Quest. 4. How doth the word work this?

"Answ. By winning upon man, and gathering him into its light, out of man's own darkness, exercising man various ways to empty him of himself, and make him weak in himself, and putting forth its own strength in and for man, as it hath emptied and weakened him in himself.

"Quest. 5. What, then, is man's great advantage towards reconciliation with God?

"Answ. To become weak, to become poor, to become helpless, to become nothing by the frequent exercises of the word of reconciliation in the

heart: for the poor receive the gospel, and the weak receive God's strength, and the helpless, his mercy, and the nothing ones, his fulness."

Again, page 610: "Quest. 1. What is redemption?

"Answ. It is the purchasing of the vessel out of the captivity and misery of death, into the liberty and blessedness of the divine life, sown, revealed, grown up, and perfected in the heart.

"Quest. 2. Who is the Redeemer?

"Answ. The Son of God, the child of God's begetting, the divine image, who naturally believes and fulfils the will of the Father, in every vessel which it hath prepared.

"Quest. 3. By what doth he redeem?

"Answ. By his blood; by his life; by his power; by *his nature sown in the vessel*, and transforming the vessel into its own likeness. Yea, this is indeed redemption, when the creature is changed into, and brought forth in the image, power, nature, virtue, and divine life of him that redeemeth; and the old contrary image perfectly blotted out, by the presence and indwelling of the new. This is perfect redemption, the least measure whereof is redemption in a degree.

"And after this springs up the glory of the life in the vessel, even the glory *which it had with the Father before the world was.* In the nature of the life the glory is hid; it is sown in the seed, it dies with the seed, it is raised with the seed."

And again, page 513: "Quest. What is the work of redemption?

"Answ. To purge the old leaven out of the vessel, to purify the vessel from all the false appearances of light, to batter down all the strong holds of the enemy in the mind, all the reasonings, thoughts, imaginations, and consultations, which are not of the pure, or in the pure; and so to new create and new form the vessel in the image of the wisdom and purity wherein it was at first formed.

"Quest. Who doth this work, or who is man's Redeemer out of the fall?

"Answ. The Eternal Word or Son of the Father, even *the wisdom and power which went forth from the fountain in the creation*, the same goeth forth from the bosom of the Father to purify the creature, and so bringeth the creature back (being purified and cleansed) into his bosom again.

"Quest. With what doth this Word, or Redeemer, redeem?

"Answ. With *his own life*, with *his own blood*, with his own eternal virtue and purity. He descendeth into the lower parts of the earth, becomes flesh there, sows his own seed in his prepared earth, begets of his flesh and of his bone, in his own likeness, and nourisheth up his birth with his flesh and blood unto life everlasting.

"Quest. What is this life? Or how doth it first manifest itself in the darkness?

"Answ. It is *the light of men.* It is that which gave light to Adam at first, again to him after the fall, and to all men since the fall. It enlightens in nature; it enlightened under the law; it did enlighten under the gospel before the apostacy, and again since the apostacy.

"Quest. How doth the light enlighten?

"Answ. *By its shining.* The eternal Word moves, the life opens, the light shines: this *in the least degree, is a beginning of redemption;* in its fulness *it is redemption perfected.*"

George Fox, in his "Great Mystery," pages 102, 103, gives *his* view of the subject: "P. He saith, 'It is an error to say, that the light which every one hath that cometh into the world, is sufficient to salvation, without the help of any other means or discovery,' &c. See page 9.

"A. Contrary to Christ, who brought the Jews off from all other helps to himself, and said, 'Believe in the light while ye have the light;' and, 'that they that believed in the light should not abide in darkness.' And 'no man cometh to the Father but by me,' saith Christ. For he was the way, the truth, the light in men, and the life, and there is no salvation by any other name but by him. And *none know the blood of Christ which cleanseth*, and the *offering for the sins of the whole world, but with the light which cometh from Christ Jesus*, who is sufficient, who is the salvation to the ends of the earth; so *he is the only means, without any other help*. And as the anointing in people doth teach people, they shall continue in Christ: and as they 'walk in the light as he is in the light, they shall have fellowship with the Father,' from whence all helps come; and Christ will dwell in man, and walk in man, and what need have they any more helps?

"P. He saith, 'It is an error to say, we are justified by that which Christ doth in us,' &c. See page 9.

"A. Contrary to the apostle, who saith, 'We are justified by faith in his blood;' and the faith is in the heart, and *the blood is in the heart* that purifies it, and held in a pure conscience. And the word of faith is within. Rom. x. And faith gives victory over the world, and that which gives victory, justifies."

And on page 116: "P. He saith, 'To say that redemption and righteousness are wrought within, is to bring Christ down from above out of Heaven, or raise him from the dead, and to make the blood of Christ as another man's,' &c. See page 9.

"A. Now Christ is not known to be the justification, but as he is known within, and redemption out of Adam's state in the fall. For 'he that believes hath the witness in himself,' and 'ceaseth from his own works, as God did from his, and enters into his rest.' The world may profess Christ without them; but if he be not within them, they are reprobates, and shall fall short of justification and redemption. And if they have not the Son of God, they have not life; and many will say, Lord, but do not the thing that he commands. And one of thy generation of professors that wrote against the Quakers, said, 'that the blood of Christ was corruptible,' (and so it was like the blood of another man,) and thou sayst it is not. Now we say, *that blood which cleanseth from all sin, is incorruptible;* and they that witness Christ in them, and justification and redemption, need not say, 'Who shall raise Christ from the dead, or fetch him from above,' as thou sayst."

And page 121: "He saith, 'Obedience to the light within is another atonement, and a denying the atonement of Christ,' and calls it 'a mystery of iniquity.' See page 28.

"A. None know the atonement of Christ but by the light within, and all are in the mystery of iniquity that are out of the light which cometh from Christ, the covenant of God to Jews and Gentiles; and that 'gives them the light of the knowledge of the glory of God, in the face of Christ

Jesus. Mark! he saith, the light is that which gives the knowledge; and the light within doth not set up another atonement; but they that deny the light within, set up another atonement than Christ."

Page 212: "None see Christ the one offering, but with the light that cometh from him: nor do any know the Saviour, Christ Jesus, but with the light that cometh from him: and that lets them see the body prepared, Christ who was the seed of Abraham, according to the flesh, the one offering, that ends all offerings; and *his blood that is the atonement is the saints' drink*, which, who drinks, shall live, *with which their consciences are purged from dead works*, to serve the living God. And no one knows the foundation of God that standeth sure, nor feels it, nor sees it, but with the light which cometh from Christ the foundation, which breaks down all other foundations; which light that every man is enlightened withal, gives him the knowledge of the foundation of God."

Page 227: "The blood of Christ which satisfies the Father, which the saints drink, and his flesh which they eat, which in so doing they have life, is *that which the world stumble at;* which *who drinks, lives forever.* And the apostle preached the word of faith in their hearts, and in their mouths, and *the word reconciles to the Father*, and hammers down, and cuts down, and burns up *that which separates from the Father;* and over it gives victory. And as for the word material, the apostle doth not call it so, but precious; and Jerusalem is come down from Heaven and witnessed among the saints, heavenly Jerusalem, and the babes know their mother. And who are in Christ, and Christ in them, see it and possess it. But all such as are against the light within, which doth enlighten every man that cometh into the world, are the antichrists, the false prophets, the wolves which have gotten the sheep's clothing, (which may deceive the world, but not the elect,) as thy book hath declared thee."

Page 233: "He saith, 'It is not properly and absolutely, in a full sense, that God is manifest, or glorified in the flesh of his saints,' page 29.

"A. The saints are the temples of God, and God dwells in them, and walks in them; and *they come to witness the flesh of Christ*, and they glorify him in their souls and bodies, and the Lord is glorified in their bringing forth much fruit. And they witness the seed, the one offering for sin and transgression, *to be manifest within;* and such are not reprobates, that witness the one offering Christ Jesus; but they that have him not within, are reprobates."

And page 248: "There is neither Jew that professeth a Christ was to come, nor Christian that professeth a Christ is come; nor any one upon the earth (though ye have all the Scriptures) knows the flesh of Christ, but who owns the light which doth enlighten every man that cometh into the world. For the Jews knew not the flesh of Christ, though they had Scriptures, (but crucified him,) whose ears were stopped and eyes closed to that of God in them. The Gentiles knew not the flesh of Christ, who were astray from the life of God; neither do those called Christians know the flesh of Christ, who are inwardly ravened from the spirit of God in them, though they have gotten all the sheep's clothing, and talk Christ is come, and died at Jerusalem, as the Jews could say of him to come, and to be born at Bethlehem; yet they could not confess him come in the flesh nor did know his flesh; no more do these Christians know his flesh, though

they have all the form of godliness. But who come to the seed, Christ himself, they know it in them; then they shall know the one offering (atop of all the world's sects) for the sins of the whole world; for none knew the flesh of Christ, nor Christ, nor as God was in Christ, but as they come to the light with which they are enlightened, which who hate know him not, but it is your condemnation, and that you shall all feel at last. So the one offering, which is Christ, is set over the whole world, and his flesh the world knows not, nor the princes of the world; but where the seed is come out of the grave, it knows him, the seed knows him; and these are of his flesh and of his bone, it is their meat and drink. And Christ is now come, who treads the wine-press alone without the city. Though all the beasts, and false prophets, and anti-christs upon the earth rise against him, yet the Lamb and the saints shall have the victory, and the nations shall be ruled with a rod of iron; and he that was dead, is alive again; he by whom the world was made is manifest, and he rules in his saints, and the tabernacle of God is with men."

George Fox, in his Journal, vol. i. p. 98, 99, says: "As I was walking by the steeple-house side, in the town of Mansfield, the Lord said unto me, 'That which people trample upon must be thy food.' And as the Lord spake, he opened to me, that people and professors trampled upon the life, even *the life of Christ* was trampled upon: they fed upon words, and fed one another with words; but trampled under foot *the blood of the Son of God*, which blood was my life: and they lived in their airy notions, talking of him. It seemed strange to me at the first, that I should feed on that which the high professors trampled upon; but the Lord opened it clearly to me by his eternal spirit and power."

And page 101: "Soon after there was another great meeting of professors, and a captain named Amor Stoddard came in. They were discoursing of the blood of Christ. As they were discoursing of it, I saw, through the immediate opening of the invisible Spirit, the blood of Christ; and cried out among them, saying, 'Do ye not see the blood of Christ? *See it in your hearts*, to sprinkle your hearts and consciences from dead works, to serve the living God.' For I saw *the blood of the new covenant*, how it came *into the heart*. This startled the professors, who would have the blood only without them, and not in them. But captain Stoddard was reached, and said, 'Let the youth speak, hear the youth speak;' when he saw they endeavoured to bear me down with many words."

And in his Doctrinals, pages 644, 645: "The blood of the old covenant was the life of the beasts and other creatures; and the blood of the new covenant is the life of Christ Jesus, who saith, 'Except ye eat my flesh, and drink my blood, ye have no life in you.' John vi. 53.

"So the blood of the new covenant *is not according to the old*; and so with this blood of the new covenant must every one feel their hearts sprinkled, if they have life; and in this new covenant they shall all know the Lord, &c. And by this blood of Jesus, his life in the new covenant, they are justified, in whom we have redemption and the forgiveness of sins; and Christ hath purchased his Church with his own blood, his life, and their faith doth stand in his blood, *which is the life of the Lamb*. Therefore the apostle saith 'If ye walk in the light, as he is in the light,

then have ye fellowship one with another, and the blood of Christ Jesus his Son cleanses from all sin."

"So it is not the blood of bulls, goats, or the blood of *other creatures* which *was the blood of the old covenant*, nor their outward washings in it, *that takes away sin;* but *the blood of the new covenant*, which is the blood of the Lamb without blemish, Christ Jesus the blood of the Lamb, *the life of the Lamb*, with which Christ the high-priest, sanctifies, cleanses, and redeems; and he *washes with his own life, his blood;* yea, he *sprinkles the altar of their hearts*, that they may offer a sacrifice of praise to God continually, that is, the fruits of our lips, giving thanks to his name."

Again, page 646: "And it may be seen it was the life of the clean beasts, from Abel's time, that was offered and accepted of by God to clense withal, and therefore they were not to eat the blood, for the blood, the life of the beasts, was offered to God for an atonement upon his altar. So it is clear it was the blood, the life of the beasts, which God required to make atonement with upon his altar for their souls: for the Lord saith, 'The life of all flesh is the blood,' and whosoever did eat it was to be cut off; for the life of all flesh, the blood, was to be offered upon his altar to make atonement for their souls, as the Lord required.

"Thus the first covenant was dedicated with the blood, which was the life of all flesh: but the new and second covenant is dedicated with the blood, the life of Christ Jesus, *which is the alone atonement unto God*, by which all his people are washed, sanctified, cleansed, and redeemed to God. So that their faith and testimony stands in the blood of the Lamb, the life of Christ Jesus, fore-ordained before the world was, a Lamb without blemish, guile, spot, or sin, which cleanses from all spots and sin, and washes and makes clean the garments. And Christ abolishes both the blood of beasts, and the altar, and all the traditions in the law, and their offerings and sacrifices before the law, by the offering up of himself *once in the end of the world, a Lamb ordained before the foundation of the world;* therefore must every one's faith and testimony stand in him and his blood. And who are the true witnesses of this, but they only that have *drunk of the blood of Christ* and *eaten of his flesh*, which he gives for the life of the world, not such as talk of it only."

James Naylor, also, in page 38 of his work, entitled, "A Vindication of Truth," printed in 1656, says: "Thou asks, 'Would the light within have showed you the atonement?' &c. I say, the *true atonement* it will, and *no other thing can show it* to every particular person; but thy atonement, that was before thou wast born, and art yet in thy sin, it will not, it shows no such lies. But, blind man, may not all that have experience of atonement, see what thy atonemont is, that is not seen within? Hadst thou been reconciled to God in thy heart and spirit, the liar's mouth had been stopped. But if thou should own such an atonement, thou wouldst lose thy master's service. But didst thou know what *atonement* or *unity with God* is, thou could not feed thyself with lies, taking conceits for atonement, while that of God within thy conscience condemns thee; but thy atonement would be, to see the light of his countenance shining in thy heart, in the face of Jesus, and see him speak peace who wounds."

And Robert Barclay, in his Apology, page 358 of his works, expresses himself thus: "But if it be objected," says he, "which is the great ob-

jection,) that there is no name under heaven, by which salvation is known, but by the *name Jesus:* therefore they, not knowing this, cannot be saved.

"I answer. Though they know it not *outwardly*, yet if they know it *inwardly* by feeling the *virtue and power of it*, the name *Jesus* indeed, (which signifies *a Saviour*) to free them from sin and iniquity in their hearts, they are *saved by it.* I confess, there is no other name to be saved by; but salvation lieth not in the *literal*, but *in the experimental knowledge.* Albeit, those that have the literal knowledge, are not saved by it, without this real experimental knowledge; yet those, that have the real knowledge, may be saved without the external."

And in pages 373, 374, he says: "They object, verse 21st of the same chapter: 'For he hath made him to be sin for us, who knew no sin; that we might be made the righteousness of God in him.'

"From whence they argue: 'That as our sin is imputed to Christ, who had no sin: so Christ's righteousness is imputed to us, without our being righteous.'

"But this interpretation is easily rejected. For though Christ bare our sins, and suffered for us, and was *among men accounted a sinner*, and numbered among transgressors; yet that God reputed him a sinner is no where proved. For it is said, 'He was found before him holy, harmless, and undefiled, neither was there found any guile in his mouth.' That we deserved these things, and much more for our sins, which he endured in obedience to the Father, and according to his counsel, is true; but that ever God reputed him a sinner, is denied. Neither did he ever die, that we should be reputed righteous, *though no more really such*, than he was a sinner (as hereafter appears.) For indeed, if this argument hold, it might be stretched that length, as to become very pleasing to wicked men, that love to abide in their sins: for if we be made righteous, as Christ was made a sinner, merely by imputation, then as there was no sin, not in the least in Christ, so it would follow, that there needed no more righteousness, no more holiness, no more inward sanctification in us, than there was sin in him. So then by his being made sin for us, must be understood his suffering for our sins, that we might be made partakers of the grace purchased by him; by the workings whereof we are made the righteousness of God in him. For that the apostle uuderstood here a being made really righteous, and not merely a being reputed such, appears by what follows, seeing in verses 14, 15, 16, of the following chapter, he argues largely against any supposed agreement of light and darkness, righteousness and unrighteousness; which must needs be admitted, if men be to be reckoned ingrafted in Christ, and real members of him merely by an imputative righteousness, wholly without them, while they themselves are actually unrighteous. And indeed, it may be thought strange, how some men have made this so fundamental an article of their faith, which is so contrary to the whole strain of the gospel. A thing Christ in none of all his sermons and gracious speeches ever willed any to rely upon; always recommending to us works, as instrumental in our justification: and the more it is to be admired at, because that that sentence or term, (so frequent in their mouths and so often pressed by them, as the very basis of their hope and confidence,) to wit, the imputed righteousness of Christ, is not to be found in all the Bible, at least as to my observation."

Here he expressly declares it is not, and ought not to be, made a fundamental article in the society. And in pages 495–6, in the same Apology, he is very full and explicit on the subject: "From this large description," says he, "of the origin, nature, and effects of this body, flesh and blood of Christ, it is apparent that it is spiritual, and to be understood of a spiritual body, and not of that body or temple of Jesus Christ, which was born of the Virgin Mary, and in which he walked, lived, and suffered in the land of Judea; because it is said, that it came down from heaven, yea, that it is He that came down from heaven. Now all Christians at present generally acknowledge, that the outward body of Christ came not down from heaven, neither was it that part of Christ, which came down from heaven. And to put the matter out of doubt, when the carnal Jews would have been so understanding it, he tells them plainly, ver. 63. 'It is the Spirit that quickeneth, but the flesh profiteth nothing.' This is also founded upon most sound and solid reason; because it is the soul, not the body, that is to be nourished by this flesh and blood. Now outward flesh cannot nourish nor feed the soul; there is no proportion, nor analogy betwixt them; neither is the communion of saints with God by a conjunction and mutual participation of flesh, but of the Spirit: 'He that is joined to the Lord is one Spirit,' not one flesh. For the flesh (I mean outward flesh, even such as was that wherein Christ lived and walked, when upon earth; and not flesh, when transformed by a metaphor, to be understood spiritually,) can only partake of flesh, as Spirit of Spirit: as the body cannot feed upon Spirit, neither can the Spirit feed upon flesh. And that the flesh here spoken of, is spiritually understood, appears further, in that which feedeth upon it, shall never die, but the bodies of all men once die, yea it behoved the body of Christ himself to die. That this body and spiritual flesh and blood of Christ is to be understood of that divine and heavenly seed, before spoken of by us, appears both by the nature and fruits of it. First, it is said, 'It is that which cometh down from heaven, and giveth life unto the world:' now, this answers to that light and seed, which is testified of, John i. to be 'the light of the world, and the life of men.' For that spiritual light and seed, as it receives place in men's hearts, and room to spring up there, is as bread to the hungry and fainting soul, that is (as it were) buried and dead in the lusts of the world; which receives life again, and revives, as it tasteth and partaketh of this heavenly bread. And they that partake of it, are said to come to Christ; neither can any have it, but by coming to him, and believing in the appearance of his light in their hearts; by receiving which, and believing in it, the participation of this body and blood is known. And that Christ understands the same thing here by his body, flesh, and blood, which is understood, John i. by the 'light enlightening every man,' and 'the life,' &c. appears; for the light and life spoken of, John i. is said to be Christ; 'he is the true light:' and the bread, and flesh, &c. spoken of, in this 6th of John, is called Christ; 'I am the bread of life,' saith he. Again, 'They that receive that light and life, John i. 12, obtained power to become the sons of God, by believing in his name: so also here, John vi. 35, 'He, that cometh into this bread of life shall not hunger; and he, that believes in him, who is this bread, shall never thirst.' So then, as there was the outward visible body and temple of Jesus Christ, which took its origin

from the Virgin Mary; so there is also the spiritual body of Christ, by and through which he, that was the Word in the beginning with God, and was and is God, did reveal himself to the sons of men in all ages, and whereby men in all ages come to be made partakers of eternal life, and to have communion and fellowship with God and Christ. Of which body of Christ, and flesh, and blood, if both Adam, and Seth, and Enoch, and Noah, and Abraham, and Moses, and David, and all the prophets and holy men of God had not eaten, they had not had life in them, nor could their inward man have been nourished. Now, as the outward body and temple was called Christ, so was also this spiritual body no less properly, and that long before that outward body was in being. Hence the apostle saith, 1 Cor. x. 3, 4, that the fathers 'did all eat the same spiritual meat: (for they drank of that spiritual rock, that followed them; and that rock was Christ.)' This cannot be understood otherwise than of this spiritual body of Christ: which spiritual body of Christ, though it was the saving food of the righteous both before the law, and under the law, yet under the law it was veiled and shadowed, and covered under divers types, ceremonies and observations; yea and not only so, but it was veiled and hid, in some respect, under the outward temple and body of Christ, or during the continuance of it; so that the Jews could not understand Christ's preaching about it, while on earth: and not the Jews only, but many of his disciples judged it a 'hard saying, murmured at it, and many from that time went back from him, and walked no more with him.' "

8. They believed, that the Scriptures contain an account of all the chief principles of the doctrine of Christ, held forth in divers declarations, exhortations, and sentences, which by the moving of God's Spirit were, upon sundry occasions, spoken and written; that they are a declaration of the fountain but not the fountain itself; that they are a declaration and testimony of truth but cannot confer a knowledge of truth; that, therefore, they are not to be esteemed the principal ground of divine truth and knowledge, nor the adequate primary rule of faith and manners. This place they conceded only to the Spirit of God, that divine light "which lighteth every man that cometh into the world," from which the Scriptures themselves have all their excellency and certainty, and by which only they can be known and understood: that this only can give a knowledge of God and the things of God. They did not, therefore, believe that the Scriptures, whether "rightly interpreted" or not, "are unerring guides." But that, "as by the inward testimony of the Spirit we do alone truly know them," hence the Spirit is that guide by which the saints are led into all truth, and the Scriptures but a corroborative evidence and testimony of the Spirit's teachings and guidings. Hence also they believed, not that all Scripture *is* "given by inspiration of God," but that "*all Scripture given by inspiration of God*, is profitable for doctrine, for correction, for instruction in righteousness; that the *man of God* may be perfect, thoroughly furnished unto all good works; but that when *leaned upon as the rule of faith and life*, they are exalted above their proper place, being made to occupy the position which rightfully belongs to the "Divine light," the only infallible and sufficient teacher in the things of God and salvation. That when thus depended on "the letter kills," and

those who so lean on them are liable to "wrest the Scriptures to their own destruction."

George Fox, in his Great Mystery, page 592, says: "Objection. He said, 'whosoever took a place of Scripture, and made a sermon of it, or from it, was a conjurer, and his preaching was conjuration.'"

"A. He that puts the letter for the light, when the letter saith Christ is the light, he is blind; and they that say the letter and the Spirit are inseparable, when the Spirit saith the letter is death, and killeth, and all that do study to raise a living thing out of a dead, to raise the Spirit out of the letter, are conjurers, and draw points and reasons, and so speak a divination of their own brain; they are conjurers and diviners, and their teaching is from conjuration, which is not spoken from the mouth of the Lord, and the Lord is against all such, and who are of God are against all such; for that doctrine doth not profit the people at all, for it stands not in the counsel of God, but is a doctrine of the devil, and draws people from God, but he that speaks from the mouth of the Lord, turns people from their wickedness, but that ministry which God hath not sent, and that assembly must be disaffected: for the Lord is coming to teach his people himself by his Spirit.

"O. 'George Fox said the Scripture was carnal.'

"A. The letter of the Scripture is carnal, and the letter is death, and killeth, but the Spirit giveth life, which was in them that gave forth the Scriptures, and that I witness, which is eternal and not carnal: for the Jews who had the letter, persecuted Jesus Christ the substance; and so do you now who have the letter and not the substance. There were ministers of the letter then, and ministers of the Spirit, so there are now."

And page 391, he says also: "He saith, page 11, 'An external means enables them to open the meaning of the gospel.'

"A. An external opens not the eternal; this all may judge that are in the fear of God, and that is it which keeps them from being deceived and seduced. He saith, 'the external opens the eternal,' which is false; for the eternal opens the external, and the gospel is eternal, and that which reacheth to the soul, which is immortal; and all they are seduced and seducers, that think and say the external must open the eternal.

"P. He saith, 'Learned men are those who must give the sense of the Scripture.'

"A. Pilate was a learned man, and had Hebrew, Greek, and Latin, and knew not the sense of the Scripture, who crucified Christ. And the learning of God is that which knows the Scriptures by the Spirit that gave them forth, and not the confounded natural languages."

In page 409: "The infallible light which every one that comes into the world is enlightened with, is the leader of the people, and the light they are to follow, and it is the way to the Father, out of the way from the Father that is in the first Adam, in the transgression; which light is Christ the second Adam, that every man that comes into the world is enlightened with. And they who follow this, and believe in it, and walk in it, abide not in darkness, but have the light of life. And the light within, and the Spirit of God within, that gave forth the Scripture, is the trial of the Scripture of truth; for men without that may wrest the words, and wrong

translate them. So the light within, the Spirit of God, is the judge of the Scriptures and knows Scripture, which gave it forth, and is the rule, and ruled and led them to speak them forth, and is the rule that leads them to open them again, and to lead into all truth, as saith Christ."

Page 410: "Enoch and Abraham had faith, and had not Scripture. All are heathens that are not in the light which was before Scripture was written, though they have all the Scripture. And the holy men of God acted in the faith, in obedience to it, before the Scripture was given forth, and they were all in the faith that gave forth the Scripture, and *they did not act as from the Scripture*, but from the Spirit of whom they had learned, who is the author of faith which the just live by, and God and Christ, the substance of the Scripture."

And page 527, he adds: "P. 'That the Scriptures reveal the great mystery of election, the great works of the creation, and the work of redemption.'

"A. There thou hast set up the Scripture instead of God, and before God and the Son, for it is God that doth reveal to babes and sucklings, Matt. xi. 25, and God did reveal by his Spirit, 1 Cor. ii. 10, and God shall reveal, Phil. iii. 15, and the things of God are hid from the wise and prudent, (Matt. xi. 25.) that have the Scriptures; the Jews had the Scriptures: and God reveals his secrets to the prophets, his servants. Amos iii. 7. No man knows the Father saving to whom the Son shall reveal him. Matt. xi. 17. Now the Son reveals, and the Father reveals, and the things of God are revealed by his Spirit. 1 Cor. ii. 10. The Jews had the Scriptures, and knew not the Son, 1 Cor. ii. 8, nor the Father, as in John, nor the things of God by a natural light, as they call it. The Jews had the Scriptures, and did not know the election, Isa. xxiv, because they were from the Spirit. So it is God that reveals the Son, and redemption, and election, and not the Scripture; the Scripture was given forth from them that had the revelation from God."

There are also various other passages in this book to the same purport. See pages 102–3, and 451–2. &c.

In his Journal, page 92, he further expresses his views: "My desires after the Lord grew stronger, and zeal in the pure knowledge of God, and of Christ alone, without the help of any man, book, or writing. For though I read the Scriptures that spake of Christ and of God, yet *I knew him not but by revelation*, as he who hath the key did open, and *as the Father of life drew me to his Son by his Spirit*."

Also, in pages 115, 116: "As I went towards Nottingham on a first-day in the morning, with friends to a meeting there, when I came on the top of a hill in sight of the town, I espied the great steeple-house; and the Lord said unto me, 'Thou must go cry against yonder great idol, and against the worshippers therein.' I said nothing of this to the friends, but went with them to the meeting, where the mighty power of the Lord God was among us; in which I left Friends sitting in the meeting, and went to the steeple-house. When I came there all the people looked like fallow ground, and the priest, like a great lump of earth, stood in his pulpit above. He took for his text these words of Peter: 'We have also a more sure word of prophecy, whereunto ye do well that ye take heed, as unto a light that shineth in a dark place, until the day dawn, and the day-star

rise in your hearts.' He told the people this was the Scriptures, by which they were *to try all doctrines, religions, and opinions.* Now the Lord's power was so mighty upon me, and so strong in me, that I could not hold; but was made to cry out, 'Oh! no; it is not the Scriptures;' and told them it was *the holy Spirit*, by which the holy men of God gave forth the Scriptures, whereby opinions, religions, and judgments were to be tried; for it led into all truth, and so gave the knowledge of all truth. The Jews had the Scriptures, yet resisted the Holy Ghost, and rejected Christ, the bright morning-star. They persecuted him and his apostles, and took upon them to try their doctrines by the Scriptures, but erred in judgment, and did not try them right; because they tried without the Holy Ghost."

Edward Burrough, in his work in answer to George Griffiths, page 56, says: "And this again I affirm, as before I did in thy hearing, that the Scripture is not the saints' rule, but the Spirit which gave forth the Scripture, as the Scripture itself witnesses. Rom. viii. Faith was before the Scripture was, and therefore the Scripture is not the ground of it, but a declaration of it; and no other faith we own but the faith which Abel had, and which Moses had, which was when no Scripture was written, and that we own to be the rule of our conversation, which they walked by, *the immediate Spirit of God* which was before the Scripture was written. And all you who profess the Scripture to be your rule, your own rule shall testify against you when the eternal God judges you, and they who witness that to be their rule which gave forth the Scriptures, walk up in the life of the Scripture more than you all. And you are proved to be but the Jew outward, who boasts of the ordinances from the letter, but persecutes them, by slanders and false reproaches, who witness the substance; and your praise is only of men, and not of God. And the same wo which thou pronouncest upon us will fall upon thy own head, for this thy grievous slander, that we neglect the law, and teach men so to do."

And pages 446, 447, he thus speaks: "He saith, *I say falsely*, when I have spoken the truth, which is a lie in the highest degree, in saying when I spoke the truth, that I spoke falsely; and his proof, that the truth and I do not agree, is, because I said in my first, 'The saints have no need of Scriptures to teach them; but the Spirit of the Father leadeth and teacheth into all truth.'

"Rep. My words are justifiable; for 'it is the Spirit that leadeth into all truth,' John xvi., and the saints 'need no man to teach them,' but they have the anointing within them; and they know all things by the unction, 1 John: and the Spirit of the Father is given them, by which the Scriptures were given forth. And the Lord is the teacher of his people; and they need not any to say to them, Know the Lord, Jer. xxxi. Yet they that witness this, do not make the Scripture of none effect, but own it in its place, yet *not as their teacher;* for then they should deny the new covenant, Jer. xxxi., and then *something besides the Spirit leads into truth*, and they have something to teach them besides the anointing. But if this be all the proof that can be given against me, 'that I and the truth do not agree,' I doubt not but all spiritual men will see the emptiness and weakness of the witness against me, and will be more confirmed, rather than shaken, that I and the truth do fully agree; though P. T. speaks otherwise falsely against me, and as if I had contradicted the apostle's words, which

he quotes against me, who saith, 'Whatsoever things were written aforetime, were written for our learning;' which Scripture I do own, and no way contradict; it is the error of his judgment, which so judgeth; for, even they for whom the things that were written, were for their learning; yet they were led into all truth by the teachings of the Spirit, and they were taught of the Father; and what was written to them, was not written because they knew not truth, or to teach them truth, 1 John ii. 21. Let him learn what this means."

And in the same book, pages 484, and 485, will be found passages equally corroborative of these views. Francis Howgil, in pages 269, and 270, has also the same views.

George Whitehead, in his work entitled "The Light and Life of Christ," pages 22, 23, expresses himself thus: "Herein is *the sufficiency of Christ and his light* to guide, opposed and denied, *without the Scriptures*, by our opposer; as if the Scriptures *must needs help Christ*, the light or spirit; and as if the guidance of the spirit now were not to be esteemed of as Scripture, inspired as well as the Scriptures were, when given by inspiration to the men of God of old: or when it is confessed that Christ within is the Comforter, he means by the application of promises without, which is still *to detract and diminish from the spirit's sufficiency, both in guiding and comforting, though it leads into all truth*, and brings us to know the right use of the Scriptures, which we do own, in *preferring the spirit, and owning its guidance to lead into the knowledge of the truth in Scripture.*"

Isaac Penington, in the first vol. of his works, pages 94, 95, says: "Quest. Then by this a man may be saved, though he should not know the literal name Jesus, or the literal name Christ, &c.

"Ans. The names are but the signification of the thing spoken of; for it is the life, the power (the being transformed by that) that saves, not the knowledge of a name. And Christians mightily deceive themselves herein: for they think to be saved by believing a relation concerning Christ, as he appeared in a fleshly body, and suffered death at Jerusalem. Whereas Christ is the same yesterday, to-day, and for ever; and the saving knowledge reveals him not only as he was then, but as he was the day before, and will be for ever. And this knowledge is also revealed in the Scripture; but *they are so drowned in the letter*, wherewith the carnal part is so filled, *that the spiritual eye cannot open in them to see.* So that which was ordained for life, *becomes death to them*, and they perish; they perish just as the Jews did; for their eyes are withheld, by a wisdom which they have *grown up in from the letter*, from the beholding the mystery of life in the spirit, which alone can work out and save from the mystery of death.

"Quest. But did not God formerly work life in men by their reading of the Scriptures, and by the preaching of such godly ministers as are now despised, and accounted antichristian?

"Answ. When men read the Scriptures formerly, in the times of thick darkness, and when some of those, (who were not made ministers according to the order of the gospel,) preached in the simplicity of their hearts, according to the best light of their feeling and experience, the Lord pitied the simplicity of their hearts, and secretly refreshed this principle in

them by such reading, and by such preaching. But now this principle is made manifest, their reading and setting up a knowledge of the Scriptures without this, (which was the thing even then from whence they had their life,) yea, in opposition to this, this increaseth their death and bondage, and shuts them out of life.

"Quest. Well, I will keep to the Scriptures, and wait for light there, let who will follow this *new light*.

"Ans. Wilt thou keep the Scriptures, in opposition to that light, which alone can give the knowledge of the Scriptures? What kind of knowledge wilt thou gather from the Scriptures? *Not a knowledge which will humble thee, and clense thine heart; but a knowledge that will puff thee up, and fit thee for the slaughter.* While thou art from the light, thou canst not know the Scriptures, nor the power of God; but art exalting thine own imaginations, conceivings, and reasonings, without the sense of Scriptures. And this thou wilt one day know with sorrow, when God calls thee to an account for thy boldness, in putting senses and meanings upon his words without his light.

"Quest. I am almost startled.

"Answ. Many have fallen, and more must fall; for the sharp axe of the lord is prepared to cut down every professor, with all his profession and religious practices, and imitations from Scripture, which stand not in the pure life."

In page 305, he says: "That the Scripture is the rule of trial under the gospel, I read not in Scripture; but that the things of the Spirit are to be known in and by the Spirit, 1 Cor. ii. 12. The apostle John, speaking of antichrists, seducers, and erring spirits, which were to be tried, doth not bid them try them by the words which he wrote, or by the other apostles' words, or by the prophets' words; but by the anointing; which keeping close to, they need fear no seducers, 1 John ii. 26, 27. The word which was in the beginning being received, abode in, and kept close to, tries all words and spirits. That which begets to God is the spirit; the great gift, (which is given to him who is begotten,) is the spirit; and this (being given) is to become the fountain of life to the believer, John vii. 38. And in this spring of life he is to live, and receive milk and knowledge; and here he is to walk, and here he is to try all other waters, even by this water. And this is more to a believer, and more enableth him to try, than all the words of truth that ever were written; though he that hath this cannot despise or undervalue anything that the Spirit ever wrought: but yet the Spirit itself is more to him, and more certain, than any words concerning the spirit. Men may make false glosses, and mud, and make void the Scriptures, by their reasonings, and interpretations, and traditional apprehensions; but this water ever runs fresh and clear, and no foul spirit can defile it. Moses gave the law which directed to, and ended in, Christ: Christ in the flesh finished the work which the Father gave him to do, and directed to the comforter to be the leader into all truth; yea, the spring of life to the believer; and here the believer is safe. But the antichristian spirit ravening from this, cries up the letter in the stead of this, and does not see how the letter points to and centres in this. 'God hath made us able ministers of the New Testament,' saith the apostle; 'not of the letter, but of the spirit,' 2 Cor. iii. 6.

He overlooked the letter: that was not the thing he was chiefly to minister, but the spirit, the power to turn men from darkness to light, that they might feel him that is true, and have the life eternal abiding in the heart. But now, in the antichristian darkness, the spirit being lost, which is the gospel administration, they seemingly advance and cry up the letter, putting it into the place of the spirit. *Yet in truth, it is not the Scripture neither, in its naked simplicity, which is thus cried up, but man's wise reasonings about it.*"

Again, in page 267: "The new covenant is the covenant of the gospel; which is a living covenant, a spiritual covenant, an inward covenant, and the law or rule of it cannot be written outwardly. Read the tenor of the new covenant, Heb. viii. 10; 'I will put my laws into their minds, and write them in their hearts.' If God himself should take the same laws, and write them outwardly, yet, so written, they are not the new covenant: at most they would be but an outward draught of laws written in the new covenant. And mark! this is the one difference given between the new covenant and the old; the laws of the one were written outwardly, in tables of stone; the laws of the other were to be written in the heart. That is the book wherein the laws of the new covenant were promised to be written, and there they are to be read. So that he that will read and obey the laws of the covenant of life, must look for them in that book wherein God hath promised to write them; for though in other books he may read some outward descriptions of the thing, yet here alone can he read the thing itself. Christ is the way, the truth, and the life."

And again, in pages 267, 268: "The new creature, that which God hath new created in the heart, in which life breathes, and nothing but life breathes, which is taught by God, and true to God from its very infancy, that is his rule whereby he is to walk; the apostle expressly calls it so, Gal. xvi. 15, 16. That which is begotten by God is a son; and the son, as he is begotten by the breath of the Spirit, so he is preserved and led by the same breath; and such as are so led, are sons, and none else; for it is not reading of Scriptures, and gathering rules out thence, that makes a son, but the receiving of the Spirit, and the being led by the Spirit, Rom. viii. 14, 15. And being the whole worship of the gospel is in the spirit, there is a necessity of receiving that in the first place; and then in it the soul learns to know and wait for its breathings and movings, and follows on towards the Lord in them. The Spirit cannot be withheld from breathing on that which he hath begotten; and that breath is a guide, a rule, a way, to that which it breatheth upon. Now this is most manifest, even from the Scriptures themselves, they expressly calling Christ, the way, the truth, &c. the new creature, the rule; the faith, grace, or gift, given to be the rule, testifying the heart to be that which God hath chosen to write his laws in; but where do they call themselves a perfect rule of faith and obedience? 'They are they,' saith Christ, 'which testify of me; and ye will not come to me, that ye might have life,' John v. 39, 40. Life cannot be received from the Scriptures, but only from Christ the fountain thereof; no more can the Scriptures give the rule, but point to the fountain of the same life, where alone the rule of life, as the life itself, can be received. The Scriptures cannot ingraft into Christ, nor give a living rule to him that is ingrafted; but he that hath heard the testimony of the Scriptures concerning Christ, and hath come to him, must abide in him, and wait on him for the writing of the law of the

spirit of life in his heart, and this will be his rule from the law of sin and death, even unto the land of life. Now if men have mistaken in the night of darkness, and put the Scriptures out of their place, (even in the place of the spirit,) and so have become ministers, not of the spirit, but of the letter, whereas the apostles were made able ministers of the New Testament, not of the letter, but of the spirit, 2 Cor. iii. 6; let them not be offended at the spirit of God for teaching us otherwise, nor at us for learning as the spirit of God hath taught us; the Scriptures also testifying that this is the rule, but nowhere setting up themselves for the rule. And it is the same spirit which would now fix men in the Scriptures, to keep men from Christ, the living rule and only way to life eternal, as formerly kept them by traditions from the Scriptures; though it is hard for them who are entangled in this deceit, to see it."

William Penn, in the 1st vol. page 597, of his works says: "Christ left nothing in writing for the rule of faith and practice that we hear of; and it is not to be thought that he was less faithful in his house than Moses: and doubtless, had he intended the rule of his followers to have been a written rule, he would have left it upon record with all punctuality, this must be believed, and that done, on pain of eternal death. Nor did his followers write in the method of a rule, as the law was written; nor did they so call or recommend what they writ."

Again, 2d vol. page 36, 37: "Greater impertinency no man can be guilty of, than to affirm or teach, *that there is a revelation not immediate;* it is a direct contradiction in terms; for that which is *revealed* must be *immediately;* or else it cannot rationally be *a revelation*, but *tradition* rather.

"Nay, the Scriptures cannot be properly styled *the revelation of the will of God*, till they are first opened by him, who was found worthy to unseal the book, 'that spirit of truth, that opens, and none shuts; and shuts, and none opens.'

"The Scripture gives this testimony to what I affirm, that it is 'the inspiration of the Almighty which gives understanding:' and 'none can come to the Father but by me:' 'none knows the Father, but the Son, and he to whom the Son reveals him:' 'none knows the things of God, save the spirit of God:' 'I will be with you to the end:' 'If any be otherwise minded, God will reveal to it him;' with many the like expressions, which afford us thus much, viz.: That since no man knows the mind and will of God, neither can rightly discern of spiritual matters, but as they are revealed and manifested by the spirit of God, the very Scriptures themselves are not a revelation to him, but *the sense and purpose of them, (so immediately revealed by the eternal Spirit,) is the only true revelation*, and the Scriptures but a godly tradition.

"Moses did not conclude his predecessors ignorant of the will of God, who were without a written law. Nor did Job say, that the naked books of Moses were able to give understanding; but the inspiration of the Almighty: neither did Christ bid them read the Scriptures, that the Father might be revealed to them. Nor the apostles require the churches to have recourse to their writings, (then scattered amongst them,) as what would only reveal to them the mind of God. But as they affirmed and preached the impossibility of knowing the things of God, *any other way than that of revelation from God;* so did they attribute all such science, not to their

writings, but to his spirit; directing all to the grace, spirit, and anointing, as their most infallible teacher.

"Nay, the Lord, (in his wisdom,) apprehending, that the people would not believe Moses, unless they had some sensible and convincing evidence, was therefore pleased to say to Moses, 'Lo, I come in a thick cloud, that the people may hear when I speak with thee, and believe thee for ever,' Exod. xix. 9. This was far from God's speaking so, as that the people should not hear as well as Moses, or the prophets. And truly, the plain English why we believe not the black-coats of our age, is because we do not hear God speak to, or by them."

Robert Barclay in his Apology, gives his views at length on this subject. Page 305 of his works, he says: "This is the great work of the Scriptures and their service to us, that we may witness them fulfilled in us, and so discern the stamp of God's spirit and ways upon them, by the inward acquaintance we have with the same spirit and work in our hearts. The prophecies of the Scripture are also very comfortable and profitable unto us, as the same Spirit enlightens us to observe them fulfilled, and to be fulfilled. For in all this it is to be observed, that *it is only the spiritual man, that can make a right use of them:* they are able to make the *man of God* perfect, (so it is not the natural man,) and whatsoever was written aforetime, was written for our comfort, '*our*' *that are the believers*, 'our' that are the saints; concerning such the apostle speaks: for as for the other, the apostle Peter plainly declares, that the *unstable and unlearned wrest them to their own destruction.* These were they that were unlearned in the divine and heavenly learning of the Spirit, not in human and school literature; in which we may safely presume, that Peter himself, being a fisherman, had no great skill: for it may with great probability, yea, certainty be affirmed, that he had no knowledge of Aristotle's Logic, which both papists and protestants now, degenerating from the simplicity of truth, make the handmaid of divinity, (as they call it,) and a necessary introduction to their carnal, natural and human ministry. By the infinite, obscure labours of which kind of men, mixing in their heathenish stuff, the Scripture is rendered at this day of so little service to the simple people: whereof if Jerome complained in his time, now twelve hundred years ago, saying, 'It is wont to befall the most part of learned men, that it is harder to understand their expositions, than the things which they go about to expound,' what may we say then, considering those great heaps of commentaries since, in ages yet far more corrupted?"

And in pages 306 and 307: "Their second objection is from John v. 39: 'Search the Scriptures,' &c. Here, (say they,) we are commanded by Christ himself, to search the Scriptures.

"I answer, first. That the Scriptures ought to be searched, we do not at all deny; but are very willing to be tried by them: as hath been above declared. But the question is, whether they be the only and principal rule? which this is so far from proving, that it proveth the contrary: for *Christ checks them here for too high an esteem of the Scriptures*, and *neglecting of him that was to be preferred before them*, and to whom they bore witness; as the following words declare: 'for in them ye think ye have eternal life, and they are they which testify of me; and ye will not come unto me, that ye may have life.' This shows, that while they thought they had eternal life in the Scriptures, they neglected to come unto Christ to

have life, of which the Scriptures bore witness. This answers well to our purpose, since our adversaries now do also exalt the Scriptures, and think to have life in them; which is no more than to look upon them as the only principal rule and way to life, and yet refuse to come unto the Spirit, of which they testify; even the inward, spiritual law, which could give them life. So that the cause of this people's ignorance and unbelief was not their want of respect to the Scriptures; which though they knew, and had a high esteem of, yet Christ testifies in the former verses, that they had neither seen the Father, nor heard his voice at any time, neither had his word abiding in them: which had they then had, then they had believed in the Son.

"Moreover, that place may be taken in the indicative mood; 'Ye search the Scriptures;' which interpretation the Greek word will bear, and so Pasor translateth it: which by the reproof following seemeth also to be the more genuine interpretation; as Cyrillus long ago hath observed."

And page 308: "But if it be urged, that it is not enough to deny these consequences, if they naturally follow from your doctrine of immediate revelation, and denying the Scripture to be the only rule.

"I answer: we have proved both these doctrines to be true and necessary, according to the Scriptures themselves; and therefore to fasten evil consequences upon them, which we make appear do not follow, is not to accuse us, but Christ and his apostles, who preached them.

"But, secondly, we have shut the door upon all such doctrine in this very position, affirming, that the Scriptures gives a full and ample testimony to all the principal doctrines of the Christian faith. For we do firmly believe, that there is no other gospel or doctrine to be preached, but that which was delivered by the apostles; and do freely subscribe to that saying, 'Let him that preacheth any other gospel, than that which hath been already preached by the apostles, and according to the Scriptures be accursed.

"So *we distinguish betwixt a revelation of a new gospel and new doctrines*, and *a new revelation of the good old gospel and doctrines;* the last we plead for, but the first we utterly deny. For we firmly believe, that no other foundation can any man lay, than that which is laid already. But that this revelation is necessary, we have already proved; and this distinction doth sufficiently guard us against the hazard insinuated in the objection.

"As to the Scriptures being a filled canon, I see no necessity of believing it: and if these men, that believe the Scripture to be the only rule, will be consistent to their own doctrine, they must needs be of my judgment; seeing it is simply impossible to prove the canon by the Scriptures. For it cannot be found in any book of the Scripture, that these books, and just these, and no other are canonical; as all are forced to acknowledge."

And in page 296: "We confess, indeed, there wants not a majesty in the style, a coherence in the parts, a good scope in the whole; but seeing these things are not discerned by the natural, but only by the spiritual man, it is the spirit of God, that must give us that belief of the Scriptures which may satisfy our consciences."

And page 297: "By all which it appeareth how necessary it is to seek the certainty of the Scriptures from the spirit, and nowhere else. The infinite janglings, and endless contests of those that seek their authority elsewhere, do witness to the truth hereof."

Again: "Though then we do acknowledge the Scriptures to be very

heavenly and divine writings, the use of them to be very comfortable and necessary to the church of Christ, and that we also admire and give praise to the Lord for his wonderful providence in preserving these writings so pure and uncorrupted as we have them, through so long a night of apostacy, to be a testimony for his truth against the wickedness and abominations even of those whom he made instrumental in preserving them; so that they have kept them to be a witness against themselves: yet we may not call them the principal fountain of all truth and knowledge, nor yet the first adequate rule of faith and manners; because the principal fountain of truth must be the truth itself, i. e. that whose certainty and authority depends not upon another. When we doubt of the streams of any river or flood, we recur to the fountain itself, and having found it there we sist; we can go no further: because there it springs out of the bowels of the earth, which are inscrutable: even so the writings and sayings of all men we must bring to the word of God, I mean, the eternal word; and *if they agree hereunto, we stand there.* For this word always proceedeth, and doth eternally proceed from God, in and by which the unsearchable wisdom of God, and unsearchable counsel and will conceived in the heart of God, is revealed unto us."

Again, page 298 299: "The very nature of the gospel itself declareth, that the scriptures cannot be the only and chief rule of Christians; else there should be no difference betwixt the law and the gospel: as from the nature of the new covenant, by divers Scriptures described in the former proposition, is proved.

"But besides these, which are before-mentioned, herein doth the law and the gospel differ: in that the law being outwardly written, brings under condemnation, but hath not life in it to save; whereas the gospel, as it declares and makes manifest the evil, so it being an inward, powerful thing, also gives power to obey, and delivers from the evil: hence it is called Εὐαγγέλιον which is glad tidings. The law or letter, which without us kills; but the gospel, which is the inward spiritual law, gives life; for it consists not so much in words, as in virtue: wherefore such as come to know it, and be acquainted with it, come to feel greater power over their iniquities than all outward laws or rules can give them. Hence the apostle concludes, Rom. vi. 14, 'Sin shall not have dominion over you; for ye are not under the law, but under grace.' This grace then, that is inward, and not an outward law, is to be the rule of Christians. Hereunto the apostle commends the elders of the church, saying, Acts xx. 32, "And now, brethren, I commend you to God, and to the word of his grace, which is able to build you up, and to give you an inheritance among all those that are sanctified.' He doth not commend them here to outward laws or writings; but to the word of grace, which is inward, even the spiritual law, which makes free; as he elsewhere affirms, Rom. viii. 2, 'The law of the spirit of life in Christ Jesus has made me free from the law of sin and death.' This spiritual law is that which the apostle declares he preached and directed people unto; which was not outward, as Rom. x. 8 is manifest, where, distinguishing it from the law, he saith, 'The word is nigh thee, in thy heart and in thy mouth, and this is the word of faith, which we preach.' From what is above said, I argue thus:

"The principal rule of Christians under the gospel, is not an outward letter, nor law outwardly written and delivered, but an inward spiritu-

al law engraven in the heart, the law of the spirit of life, the word that is nigh in the heart and in the mouth. But

"The letter of the Scripture is outward, of itself a dead thing, a mere declaration of good things, but not the things themselves.

"Therefore it is not, nor can be the chief or principal rule of Christians."

Also, page 292: "And because the spirit of God is the fountain of all truth and sound reason, therefore we have well said, that it cannot contradict either the testimony of the Scripture, nor right reason: yet (as the proposition itself concludeth, to whose last part I now come,) it will not from thence follow, that these divine revelations are to be subjected to the examination either of the outward testimony of Scripture, or of the human or natural reason of man, as to a more noble and certain rule and touchstone; for the divine revelation and inward illumination is that which is evident of itself; forcing the well-disposed understanding, and irresistibly moving it, to assent by its own evidence and clearness, even as the common principles of natural truths do bow the mind to a natural assent."

Page 293: "We then trust to and confide in this spirit, because we know and certainly believe, that it can only lead us aright, and never mislead us: and from this certain confidence it is that we affirm, that no relation coming from it can ever contradict the Scripture's testimony, nor right reason. *Not as making this a more certain rule to ourselves;* but as *condescending to such,* who not discerning the revelation of the spirit, as they proceed purely from God, *will try them by these mediums;* yet those that have *the spiritual senses,* and can *savour the things of the spirit,* as it were *in prima instantia,* i. e. at first blush, *can discern them without,* or *before they apply them either to Scripture or reason.* Just as a good astronomer can calculate an eclipse infallibly, by which he can conclude, (if the order of nature continue, and some strange and unnatural revolution intervene not,) there will be an eclipse of the sun or moon such a day and such an hour; yet can he not persuade an ignorant rustic of this until he visibly see it. So also a mathematician can infallibly know by the rules of art, that the three angles of a right angled triangle are equal to two right angles; yea, can know them more certainly, than any man by measure. And some geometrical demonstrations are by all acknowledged to be infallible; which can be scarcely discerned or proved by the senses: yet if a geometer be at the pains to certify some ignorant man concerning the certainty of this art, by condescending to measure it, and make it obvious to his senses, it will not thence follow, that that measuring is so certain, as the demonstration itself; or that the demonstration would be uncertain without it."

And page 276: "This knowledge then, of Christ, which is not by the revelation of his own spirit in the heart, is no more properly the knowledge of Christ than the prattling of a parrot, which has been taught a few words, may be said to be the voice of a man. For as that or some other bird may be taught to sound and utter forth a rational sentence, as it hath learned it by the outward ear, and not from any living principle of reason actuating it; so, just such is that knowledge of the things of God, which the natural and carnal man hath gathered from the words or writings of spiritual men, which are not true to him, because conceived in the natural spirit, and so brought forth by the wrong organ, and not proceeding from the spiritual

principle; no more than the words of a man acquired by art, and brought forth by the mouth of a bird, not proceeding from a rational principle, are true with respect to the bird that utters them. Wherefore from this scripture I shall further add this argument:

"If no man can say Jesus is the Lord, but by the Holy Ghost, then no man can know Jesus to be the Lord, but by the Holy Ghost. But

"The first is true: therefore the second."

I refer the gentlemen, also, to page 633, of the same book: "That the books of the old and new testament are called the Scripture by way of eminency, we deny not, (although the name is given at times to other writings,) nor does this refute G. K.'s translation of that scripture, 2 Tim. iii. 16, which is confirmed by the Syriac, which hath it thus; 'In Scriptura enim, quæ per spiritum scripta est, utilitas est ad doctrinan,' &c. i. e. 'For in the Scripture which is written by the spirit, there is profit.' But their reason from the conjunction 'and,' is both foolish and blasphemous. For if the words be rendered thus, 'all Scripture given by inspiration is and profitable,' it is no more nonsense than divers other places in the Sripture, where the conjunction 'and' seemeth to be redundant. As in that place, Job viii. 25, where the Greek hath it thus, τὴν ἀρχὴν ὅτι κ, γαγὼ μὶν,' i. e. 'The beginning (or from the beginning,) the same which and (or also) I speak unto you.' Now if the conjunction 'and' render not this place nonsense, no more doth it render that in Timothy. But the students' ignorance renders them rather blasphemers, and their arguments blasphemous against the words of Christ. Moreover the conjunction κ, may signify a strong affirmation, (as to say; even, truly, indeed), as both our English translation hath it, Job viii. 25, and Schrevelius in his Greek Lexicon doth render it. And thus the words have good sense, 'All Scripture (or writing *given by inspiration*, is even (or indeed) profitable.' And whereas they say, 'None but a Quaker or jesuit would so interpret the place,' they declare their malice and ignorance. For William Tindall, that famous protestant martyr, in his translation of the bible, (for which the papists burnt him,) did translate it as G. K. doth; whom we think the students dare not accuse as a jesuit. That he was a Quaker, in so far as he held divers of our principles condemned by the students we shall not deny. As for us, we bless the Lord, our faith stands not on such a small nicety as the want of an 'is,' or the redundancy of an 'and:' let them look to that whose *faith knoweth no other foundation but the letter*. It doth nothing hurt our faith, nor lessen the due esteem of the Scripture to us, if peradventure an 'is' has been lost, or an 'and' hath crept into the text since the original copies were lost. This we know and can prove, that the Scripture cannot profit any man to salvation without the illumination or inspiration of the spirit: which is both effective and objective.

And in pages 302, 303, he says: "Lastly. That cannot be the only, principal, nor chief rule, which doth not universally reach every individual that needeth it, to produce the necessary effect; and from the use of which, (either by some innocent and sinless defect, or natural, yet harmless and blameless imperfection,) many, (who are within the compass of the visible church, and may, without absurdity, yea, with great probability be accounted of the elect,) are necessarily excluded, and that either wholly, or at least from the immediate use thereof. But it so falls out frequently concerning the Scriptures in the case of deaf people, children, and idiots, who

can by no means have the benefit of the Scriptures; shall we then affirm, that they are without any rule to God-ward? or that they are all damned? As such an opinion is in itself very absurd and inconsistent, both with the justice and mercy of God; so I know no sound reason can be alleged for it. Now, if we may suppose any such to be under the new covenant dispensation, (as I know none will deny but that we may suppose it without any absurdity,) we cannot suppose them without some rule and means of knowledge, seeing it is expressly affirmed, 'They shall all be taught of God,' John vi. 45. 'And they shall all know me from the least to the greatest,' Heb. viii. 11.

"But, secondly, though we were rid of this difficulty, how many illiterate, and yet good men are there in the church of God, who cannot read a letter in their own mother tongue? which imperfection, though it be inconvenient, I cannot tell whether we may safely affirm it to be sinful. These can have no immediate knowledge of the rule of their faith: so their faith must needs depend upon the credit of other men's reading or relating it unto them; where either the altering, adding, or omitting of a little word may be a foundation in the poor hearer of a very dangerous mistake, whereby he may either continue in an iniquity ignorantly, or believe a lie confidently. As for example: the papists in all their catechisms and public exercises of examination, towards the people, have boldly cut away the second command, because it seems so expressly to hit against their adoration and use of images; whereas many of these people, in whom, by this omission, this false opinion is fostered, are under a simple impossibility, or at least a very great difficulty to be outwardly informed of this abuse. But further; suppose all could read the Scriptures in their own language, where is there one of a thousand, that hath that thorough knowledge of the original languages in which they were written, so as in that respect immediately to receive the benefit of them? Must not all these here depend upon the honesty and faithfulness of the interpreters? Which how uncertain it is for a man to build his faith upon, the many corrections, amendments, and various essays which, even among Protestants, have been used, (whereof the latter hath constantly blamed and corrected the former, as guilty of defects and errors,) do sufficiently declare: and that even the last translations in the vulgar languages need to be corrected, (as I could prove at large, were it proper in this place,) learned men do confess. But last of all, there is no less difficulty occurs even to those skilled in the original languages, who cannot so immediately receive the mind of the authors in these writings, as that their faith doth not at least obliquely depend upon the honesty and credit of the transcribers, since the original copies are granted by all not to be now extant. Of which transcribers, Jerome in his time complained, saying, 'that they wrote not what they found, but what they understood.'"

"And the many various lections in divers copies of the Greek, and the great alterations among the fathers of the first three centuries, (who had greater opportunity to be better informed than we can now lay claim to,) concerning the books to be admitted or rejected, as above is observed; I say, all these, and much more which might be alleged, puts the minds even of the learned into infinite doubts, scruples, and *inextricable difficulties.* Whence we may very safely conclude, that Jesus Christ, who promised to be always with his children, to lead them into all truth, to guard them against the devices of the enemy, and to establish their faith upon an immoveable

rock, left them not to be principally ruled by that which *was subject in itself to many uncertainties:* and, therefore, he gave them his spirit, as their principal guide, which neither moths nor time can wear out, nor transcribers nor translators corrupt; which none are so young, none so illiterate, none in so remote a place, but they may come to be reached and rightly informed by it.

"Through and by the clearness, which that spirit gives us, it is, that we are only best rid of those difficulties, that occur to us concerning the Scriptures: the real and undoubted experience whereof I myself have been a witness of, with great admiration of the love of God to his children in these latter days. For I have known some of my friends, who profess the same faith with me, faithful servants of the most high God, and full of the divine knowledge of his truth, as it was immediately and inwardly revealed to them by the spirit from a true and living experience, who not only were ignorant of the Greek and Hebrew, but even some of them could not read their own vulgar language; who being pressed by their adversaries with some citations out of the English translation, and finding them to *disagree with the manifestation of truth in their own hearts*, have boldly affirmed, *The spirit of God never said so;* and *that it was certainly wrong:* for they did not believe that any of the holy prophets or apostles had ever written so. Which, when I on this account seriously examined, I really found to be errors and corruptions of the translators; who, (as in most translations,) do not so much give us the genuine signification of the words, as strain them to express that which comes nearest with that opinion and notion they have of truth."

THE END.

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